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DIARY
OF
HENRY TOWNSHEND
OF
ELMLEY LOVETT.
1640—1663.

PART II.
1640—1644.

EDITED FOR
THE WORCESTERSHIRE HISTORICAL SOCIETY
BY
J. W. WILLIS BUND.



Printed for the Worcestershire Historical Society,
By MITCHELL HUGHES AND CLARKE, LONDON, W.
1916.

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DIARY OF HENRY TOWNSHEND.



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1920.

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CHAPTER I.

MATTERS BEFORE 1640.

Although the Diary really begins with the impressment of soldiers for the Scotch war and the summoning of the Short Parliament in April 1640, there are in the MS. copies of one or two earlier documents of considerable interest, and which, in so far as Worcestershire is concerned do not appear anywhere else, and so are important for County History.

The first is dated 1625. Charles's first Parliament met on the 17th May in that year, two months after his accession. Charles was in great need of money. The House of Commons were only willing to vote one subsidy and one-fifteenth, nearly £100,000, about one-tenth of what the King required. On the 12th August 1625 the Parliament was dissolved without having voted even this small sum. Money, however, was absolutely necessary, and the Government proceeded to "gather" two subsidies. Commissioners were appointed by the Crown to collect them. This was done by taking the Hundreds as the area for collection, and appointing a "High Collector" for each Hundred in the county, whose duty it was to "gather" by means of distress the sums of money set against the name of the different persons in the schedule. How the names of the persons and the sums to be paid were arrived at does not appear; probably they were taken from the schedules used in collecting the last subsidy in 1624. This warrant is dated 21 October 1 Charles I., 1625, and as given by Townshend is as follows:—

p. 173.

The warrant to the High Collector for gathering 2 subsidies.

Wigorn SS. To T. F. of Bromsgrove in the County of Worcester, gent., High Collector of the Hundreds of the Halfshire [and Doddingtree] within the said County.

These shall be to require you and in the King's Majesty's name straitly to charge and command you that speedily and diligently you do levy and gather by way of distress (if need require) to his Highness use the particular sums of money upon every of the persons herein (these schedules) mentioned for the payment two first whole and entire subsidies to his Majesty his heirs and successors by Act [of] Parliament. And that you do not only thereof into *His Majesty's Exchequer* [on those] *days and times as is limited in the said* [Act] and also yield your account for the same, at as for the contrary you will answer at Written and sealed by us his Majesty's commissioners the same whose names are subscribed the 21st of October the first year of the reign of our Sovereign Lord Charles by the Grace of God of England, Scotland, France and Ireland, Defender of the Faith, etc., Anno Domini 1625.

At the end of the schedule there are labels, and there the Commissioners put their seals and subscribe their names. This is written all in parchment, as for example:—

Belbroughton	Humphry Perrot, gent., in terris	.	£5	20 ^s
	John Paget, gent., in terris	.	£4	16 ^s

The leaf on which this document is entered is decayed, and part of it is missing. It is, however, obvious that as given it is merely a summary to shew the nature of the warrant, and not a copy. As originally drawn it applied to the Hundreds of Halfshire and Doddingtre, but the latter has been struck out so as to make it relate to Halfshire only.

There is nothing relating to the second Parliament of Charles I., that of 1626.

Of the third Parliament that met on the 17th March 1628, the question of the ways in which the Government had raised money without the authority of Parliament gave rise to stormy debates. The Petition of Right was passed, and the Parliament was prorogued first to the 20th October 1628, then until the 20th January 1629, and on the 10th March it was dissolved.

Money was urgently required, and the Government again proceeded to raise it, although not voted by Parliament. How, is shewn by the next document: "An assessment of the Hundred

of Halfshire 28th April 1629." It gives each parish and the sum that it was to pay. Unfortunately it is imperfect, having only 29 parishes out of 35.* The total of these parishes is £244. The highest is Kingsnorton, £24 11s. 4d.; the lowest Church Lench, 12s. The interest, however, mainly consists in the fact that in addition to the sum payable in 1629, the amounts called for in 1641 and 1642 are also given, and the rise is considerable, in some cases double. The 1629 assessment appears in the left-hand column.

p. 174.

28th April 1629, 5th Caroli R.

John Radford, High Collector of Kidderminster, gent.

The Assessment of the Hundred of Halfshire.

2 subsidies gathered by Robert
Kimberley of Bromsgrove.

For one subsidy due 17 Carol. I.	1641.			1642.		
	£	s.	d.	£	s.	d.
Belbroughton . . .	8	8	0	16	16	6
Bently Pauncefoot . .	4	9	4	21	1	4
				4	0	
Bromsgrove . . .	23	12	0			
					50	4
					1	19
Chaddesley Corbet . .	13	5	11	28	4	8
					27	14
					0	8
Coston Hackett . . .	2	16	0	6	0	0
Churchill . . .	1	6	0	2	12	0
Churchlench . . .	0	16	0	1	12	0
Cradley . . .	3	0	0	5	16	0
Crowle part . . .	2	5	4	4	18	8
[Do]verdale . . .	2	6	4	4	0	0
[D]roitwich . . .	15	18	0	30	12	0
					3	
[Dud]ley . . .	4	4	0	8	9	4
					7	12
					6	2
[Elm]bridge . . .	5	16	0	11	8	0
					10	16
					0	2

* For list of Parishes (34) then comprised in the Hundred see Introduction to Nash, p. lix. Modern alterations and subdivision of parishes raised the number to 68 in 1911, but the Birmingham Extension Act reduced it to 64, at which it now, 1916, stands.

[Elm]ley Lovet . . .	7 12 8	9 12 0	9 8 0
			0 4 0
[Fe]ckenham et Horn .	15 3 4	20 14 0	29 16 0
Frankley . . .	7 6 0	14 12 0	14 8 0
Hagley . . .	3 14 0	7 8 0	6 16 0
Hadsor . . .	1 16 0	3 12 0	3 12 0
Hampton Lovet . . .	11 4 0	22 8 0	22 8 0
		2	
Kidderminster Borough	18 5 4	35 16 0	33 0 0
Kidderminster Foreign	11 18 0	22 18 8	22 16 0
		3	8 2 8
King's Norton . . .	24 11 4	8 19 4	8 17 4
			0 4 0
Kington . . .	2 14 8	4 18 8	4 8 0
			0 8 0
Kingford . . .	0 12 0	1 12 0	1 4 0
Ludley . . .	0 16 0	1 12 0	1 12 0
Northfield . . .	8 9 4	15 17 4	15 14 0
			0 2 8
Oldswinford et Stour- bridge . . .	6 12 0	14 16 0	14 16 0
Overmitton . . .	1 4 0	2 8 0	2 8 0
<i>p. 176, continuation of p. 174.</i>			
Pedmore . . .	2 6 0	3 4 0	3 4 0
Rushock . . .	3 10 0	6 12 0	6 12 8
Salwarp . . .	7 8 0	14 16 0	14 16 0
Stone . . .	4 8 0	8 16 0	8 16 0
Bentley stand, Sir Jo. Pratt.			
Tarbig and Redder . .	5 1 4	0 0 0	0 0 0
Upton Warren } . .	3 4 0	9 6 8	1 1 4
Cooksay }			
Worley . . .	2 4 8	4 8 0	4 8 0
Wychbold et Dodderhill	6 8 0	13 2 8	12 8 0
			0 6 8
<hr/>			
	£244 1 4	£497 0 8	£474 0 4

. . . . paid by Mr Robert Kimberley, collector for the [two] £ s. d.
 first subsidies into the Exchequer 428 0 0
 the rest in certificate.
 memd. paid by Mr John Lacy, collector for the two last
 subsidies into the Exchequer 423 6 0
 The rest in Certificate.

It will be noticed that the assessment for 1629 was for one subsidy, while those for 1641 and 1642 were for two, so it would be expected that they would be double in amount. This is so in some cases, but not in all. For instance, Bentley Pauncefoot in 1629 paid £4 9s. 4d., while in 1641 it paid £21 1s. 4d. King's Norton in 1629 paid £24 11s. 4d., in 1641 it only paid 19s. 4d. Elmley Lovett in 1629 paid £7 12s. 8d., in 1641 it paid £9 12s. 0d., and in 1642 £9 8s. 0d.

One other piece of information as to the way in which the county contributed to any levy is given in the MS. The rate in each hundred differed. The rates which appear to have been fixed for all subsidies are thus stated in other parts of the MS. :—

p. 467.

“The Hundred of Oswaldslow pays for every tax one 3^d part throughout the county.

“Dodingtree pays an 8th part.

“Blakenhurst pays a 12th part.

“Pershore pays a 4th part.

“Halfshire pays a 5th part and 2^d over in every pound.”*

p. 487.

“The rates of the Hundred of Pershore agreed according to an order of Sessions made 6 October 22 Jacobi as followeth.

Pershore and Blakenhurst Hundreds to bear a third part of the County with 3 parts subdivided, Blakenhurst one part and Pershore 3 parts in 4.”

It would be a matter of interest to ascertain how these differences arose. Why the Church of Worcester and the Bishop paid more than the abbeys of Evesham and Pershore.

The Diary gives some little information as to how far Worcestershire was affected by the celebrated question of ship money. In 1633 the English Navy had sunk so low that Charles proposed to the Spanish Ambassador that Spanish ships

* Nash, Introduction lxiii., says this was settled by a jury impanelled for that purpose 24 Sept. 1638, but gives no reference or authority for his statement.

should be sent to protect English fishing-boats from the molestations of the Dutch. This, however, fell through, but it served to shew Charles the crying need of raising money for a navy to meet the increasing outrages of the Dutch. How could a fleet be provided without calling a Parliament? The Attorney-General Noy in 1634 advised that the legal method of doing this was to call upon seaport towns to furnish ships fully manned and equipped for the defence of the realm, and pointed out that the practice had been followed up to 1626. This opinion was supported by the Lord Keeper Coventry.* A committee of the Privy Council was appointed to consult with Noy how best to carry this mode of raising money into effect. Noy, however, died on 10th August 1634, and the Council were left without his help. They resolved to proceed with his proposal, and on the 20th October 1634 the first ship money writs were issued. These were only sent to the maritime ports and the sea-coast towns. This was calculated to produce £104,252, but of this London alone paid £20,688. London remonstrated, but gave way. The fleet was provided, put to sea, returned to port in 1635, having done nothing.

During the absence of the fleet the Lord Keeper Coventry, in addressing the judges on the 17th June 1635, in accordance with the then custom before they went on circuit, told them that the King found it necessary to increase the fleet, and that writs would go out not only to the maritime towns but to the inland counties as well, as what was for the safety of all should be borne by all. Acting on this principle, on the 4th August 1635 writs were issued to all the counties in England and Wales, the King desiring to raise the sum of £208,900 for further provision of a fleet. The writs were sent to the Sheriffs of the

* Son and heir of Thomas Coventry, one of the judges of the Court of Common Pleas, by Margaret, the daughter of William Jefferies of Croome d'Abitot, born 1578, called to Bar 1603, Attorney-General 1620, Lord Keeper 1625 till his death in 1640; created Baron Coventry of Allesborough 1628.

counties, who were directed to raise in each county the sum named in each writ. The legality of the levy was contested ; ten out of the twelve judges advised it was legal. Charles and his advisers now considered that whatever it might be in theory, in practice ship money was a permanent charge on the country, and proceeded so to treat it. On 9th October 1636 writs were issued for the third levy of ship money. This caused a fairly general resistance. Charles again consulted the judges on its legality, and the great majority of them, nine out of twelve, held it to be legal, while the remaining three signed the opinion as to its legality for the sake of conformity.

Worcestershire can claim a large part in this contest. No one did more to induce the judges to decide in favour of ship money than a Worcestershire man, the Lord Keeper Coventry. No judge was more strongly convinced of its legality than another Worcestershire judge, Mr. Justice Berkeley. No stronger supporter in argument in favour of ship money was found than another Worcestershire man, the Solicitor-General Sir Edward Lyttelton.

Townshend gives a copy of the warrant sent out in 1638 by the Sheriff of Worcestershire, Edward Dineley, to the constables of the different parishes demanding payment of ship money for that year and of the arrears for 1637. It is much injured by damp, but what remains is as follows :—

p. 159.

The High Sheriff's warrant for payment of the Shipmoney
14th Jan. 1638.

To the Constable of Hampton Lovet, Gilbert Kimberley, High Constable of Bromsgrove Division.

Whereas according to the tenor of his Ma[jesty's]
divers special instructions lately directed
from the Right Hono^{ble} the Lords
of his highness most honourable privy
unto the Worshipfull Thomas Greaves*

* Thomas Greaves was Sheriff 1639-40.

Sheriff of this County the Sheriff
 And to divers others of the said County
 speedy providing of one ship of 20
 furnished with men : tackle muni[tions]
 and other necessities to be set for
 safeguard of the seas and defence
 Realm at the charges of both th
 there hath been a-making and an assessment
 upon by the said Sheriffs and divers m
 Bailiffs of corporate towns of both
 what each particular county shall pay towards the charge of the said
 ship and thereby the sum of £1250 assessed and imposed upon this
 County, City and Corporate towns whereof by an equal and just
 division by me since examined and proportioned according to the rate
 now agreed upon by the late Grand Jurie, your said parish and constable-
 wick is to pay the sum of six pounds three shillings and a penny, which
 said sum is particularly to be assessed there[on in] such manner as

p. 160.

. . . . herein is hereafter expressed by a precept from the said Sheriff of
 this County to be directed as it is commanded. These are there-
 fore by virtue of the said precept and according to the directions therein
 contained to will and require you forthwith to cause a particuar assess-
 ment for the raising of the said sum of £6 3^s 1^d within the said
 constablewick to be made by two sufficient men thereof in writing under
 their hands, wherein respect must be had that cottagers which get their
 livings by daily labour be not charged, and that men of weak estates and
 great charge be considered And to set down particularly and expressly
 therein what you assess your parson and Vear
 for ecclesiastical means and what for
 ere temporal estates and further that
 the said Constables do appear before the
 High Sheriff at the house of the said Tho:
 lanell in Bromsgrove upon Tuesday the 22nd of January instant
 by 9 of the clock and then there to bring and deliver unto the said
 High Sheriff there the said assessments, and that then you speedily
 collect and gather up the said money and thereof make speedy payment
 unto me. And further by virtue of another precept lately received likewise
 from the said M^r Tho. Greaves, High Sheriff, require you to collect
 and gather by way of distress or otherwise all the money that is yet in
 arrear and unpaid within your said constablewick towards the Ship
 money this last year in the time of M^r Dingleys Sherievalty and thereof to

p. 161.

make speedy payment likewise unto me wherein if you remise or negligt any longer you will be assuredly bound over to answer the same to the Lords of his Majesty's Most Honourable P[rivy] Council where no devices or pret[ences] will be accepted.*

The amount of ship money demanded from Worcestershire in 1638 was £1250. There is no mention as to this in Townshend's MS., but in the Russell Papers there is the following receipt :—

“xxvi Martij xvii Caroli Rex 1636.

Received this day and year above written by me Sir William Russell, Baronet, Sheriff of the County of Worcester, the sum of Forty two pounds of lawful English money for His Majesty's use for part of the ship money in the said County of Gilbert Kimberley, one of the High Constables of the Hundred of Halfshire, I say received the said sum xlii.

This is a true copy of the note which I received of Sir William Russell, Baronet, for the payment of the sum of xlii li.
Gil. Kimberley.”

It would appear from this that the Sheriff received payment by instalments. In 1639 the sum to be paid by Worcestershire was £3800, and that actually paid £3189. For 1640 there is this note in the Townshend MS. :—

p. 469.

“The Ship money for the year 1640, John Winford, Esq., High Sheriff, is £3500 whereof Elmley Lovett is taxed at £19 3s. 4d. I am to pay £4 thereof.”

Another document before 1640 is the list that Townshend

* This shews the writ was issued after the judgment in *R. v. Hampden*. See Gardner, “History of England,” viii., 280.

gives of the Lords Lieutenant of the different counties in England. It is as follows :—

p. 155.

The names of all the Lord Lieutenants in England and Wales.

Counties.	
Bedford.	{ Thomas E. of Cleveland. The Lord Bruce.
Berks.	Jo. Lord Lovelace.
Bucks.	Jo. E. of Bridgewater.
Cambs.	James E. of Suffolk.
Cheshire.	Cha. E. of Derby.
Corn.	Jo. E. of Bath.
Cumb.	Col. Charles Howard.
Derby.	Will. E. of Devon.
Devon.	Geo. Duke of Albemarle.
Dorset.	H. D. of Richmond and Lenox.
Durham.	The Visc. Falconbridge.
Essex.	Aubrey E. of Oxford.
Gloucester.	H. Lord Herbert of Raglan.
Hereford.	H. L. Herbert of Raglan.
Herts.	L. Capel E. of Essex.
Hunts.	Ed. E. of Manchester. Ed. E. of Sandwich.
Kent.	Heneage E. of Winch.
Lancaster.	Ch. E. of Derby.
Leicester.	H. L. Loughb.
Lincoln.	Mon. E. of Lindsey.
Midd.	Ri. E. of Dorset. Tho. E. of Berks.
Mon.	H. L. Herbert of Raglan.
Northants.	J. E. of Exeter. E. of Westmorland.
Norfolk.	Th. E. of Southampton.
Northum.	Alger. E. of Northum̄.
Oxon.	Visc. Falkland.
Rutland.	Visc. Campden.
Salop.	Fr. L. Newport.
Staffs.	Rob. L. Brooke.
Som.	N. Duke of Somerset.
South.	Th. E. of Southampton.

Suffolk.	Ja. E. of Suffolk.
Surrey.	Jo. Vis. Mordant.
Sussex.	Alger. E. of Northumb.
Worcester.	Tho. L. Windsor.
Warwick.	Ja. E. of Northampton.
Wilts.	Will. D. of Somerset.
Westmor.	Col. Ch. Howard.
East Riding of York.	Tho. Visc. Falconbridge.
West Riding.	Marmaduke L. Langdale.
North Riding.	Tho. Visc. Falconbridge.
6 counties of South Wales.	Earl of Carbery.

There does not seem to be any list of the Deputy-Lieutenants in existence, nor is there any complete list of magistrates. From the names given in the Townshend MS. the following persons were Deputy-Lieutenants, but it is far from being a complete list :—

Sir John Rous.
Sir Walter Devereux.
Sir William Russell.

From the Sessions Records the following persons were certainly in the Commission of the Peace in 1640 :—

Sir John Rous.	Henry Townshend.
William Childs.	Edward Vernon.
John Wylde.	John Nanfan.
Humphrey Salwey.	Henry Ingram.
Thomas Good.	Edward Dineley.
Edward Lord Dudley.	Thomas Cookes.
Sir James Pytts.	Edward Richards.
William Warmstry.	John Soley.
Sir Walter Devereux.	Sir William Russell.
William Smith.	Philip Brace.
Sir Henry Herbert.	

CHAPTER II.

1640.

April 1640, when the Diary begins, was a notable date in connection with the struggle between Charles and his Parliament. Strafford had returned from Ireland in the autumn of 1639, and had taken the direction of affairs. The Scotch were almost in rebellion, and at last it was decided to reduce them to obedience. To do this required money, and great diversity of opinion existed as to how the money should be raised. Strafford had no doubt, a Parliament, and only a Parliament. His advice was followed, and a Parliament summoned for 13th April 1640. Meanwhile the Scots were to be coerced into obedience. This was to be done by an army of 23,000 men, a number subsequently increased to 30,000, who were to be raised by impressment. The share of Worcestershire was 600, and out of this number Elmley Lovett was to contribute four. In fact they only sent three. The men were to assemble at Worcester on the 25th April 1640 at 9 a.m. with their arms complete. Out of the men assembled the fittest were to be selected. The authority under which they were assembled was an order of the Privy Council directed to the Lord Lieutenant, who called on his Deputy-Lieutenants to carry it out. The Deputy-Lieutenants sent a warrant to the constable of each parish ordering him to raise the number for which each parish was liable. The warrant to the Elmley Lovett constable, William Penn, is as follows :—

p. 165.

Wigorn. SS. To the Constable of Elmley L[ovet] six Supplyes.

Forasmuch as we have lately received his Majesty's pleasure and strict Command by Lords Fran the Lords of his Majesty's

most honourable Privy Council for the present and speedy levying and raising of 600 men to be taken o f
 trained Bands of this County of u
 to be weekly exercised and put in a
 nes fit for his Majesty's service into t
 therne parts these are therefore in h
 name to charge and command you t
 present summons and warning unto
 trained soldiers belonging to
 to be and appear before us at the
 of Worcester upon the xxvth day of this
 April by ix of the Clock in the Mor[ning]
 together with their arms complete
 then and there to be selected and made choi[ce] of (for such of them as shall be thought fit for that service) And withal to receive such further directions according to the content of the said Letters. Fail not the accomplishment and return hereof at your peril from Worcester the 11th of April 1640.

And for the supplying of any defects we further } your loving friends
 require you to bring with you at the said time two } Wa. Devereux.
 other able and sufficient men of person and estate } Will. Russell.
 for training duly soldiers within your } John R[ou]s.

This warrant to the constable was signed by three Deputy-Lieutenants, Sir Walter Devereux, Sir William Russell and John Rous. It seems that no party feeling entered into this matter, as Russell, the future Governor of Worcester, was one of the strongest of the Cavaliers. Rous was a Puritan, the friend of Baxter. At Rous's house part of the Saint's Rest was written.

The men assembled at Worcester were to be trained for a month from the 25th April to the 20th May. Each soldier was paid 8*d.* a day for his training day, but was allowed to work the rest of the week and get what he could.*

The men were billeted at different places in the county—Worcester, Droitwich, Evesham, Pershore and Bewdley. For some reason none of the Halfshire towns, Dudley, Bromsgrove,

* *Ante*, Vol. I., p. 2.

Kidderminster and Stourbridge had men billeted on them. Why they escaped from compulsory billeting, which was often complained of as an intolerable grievance, is not easy to say.

Having got the men, the next thing was to get them equipped and to provide transport for their convoy to the north. A letter from the Lords of the Council to the Lord Lieutenant and Deputy-Lieutenants of each county informs them—

That the Commander in Chief the Earl of Northumberland had appointed Lord Conway to the command of His Majesty's Army and Forces sent into the Northern parts, and required them to raise the trained bands of Horse and foot and money in their County to assist Lord Conway.

In pursuance of this order the Deputy-Lieutenants proceeded to raise £1200 out of the county for equipping and sending forth the 600 men raised in the county, and to buy for them 50 cart-horses and provide 17 carts and 17 carters. Of the £1200, Elmley Lovett's share was £7 10s. 0d.* William Penn of Harborough, the constable, accordingly issued to each of the occupiers in the parish the following warrant :—

p. 167.

Wigorn. SS. To the Constable of Elmley Lovet.

Whereas I have received a warrant from the right Worshipful the deputy Lieutenants of this County for the speedy levying, collecting and paying in of part of £1200 imposed upon this said county for the conducting of 600 footmen for his Majesty's service into the northern part and buying coats

And also for the providing for them

strong and able Horses for the

of artillery and for the carria[ge]

name and requisite provisions and

to attend thereon for the streng

* See Vol. I., p. 2.

advancement of his Majesty's service
 these are therefore in his Majesty's n
 require and charge you forthwith
 and collect within your parish the sum
 £7 10^s 0^d which is your part (rightly p[ro]por[tion]ed) towards the said
 charge. And that you make payment thereof unto me at my house at
 Harborow upon the seventh day of May next And hereof fail not at
 your perils. Dated this 28th day of April 1640

your loving friend
 William Penne.

Before Parliament met, the justices in Worcestershire took some rather remarkable steps on local taxation. On the 16th April 1640 they held a meeting at Bromsgrove to determine the apportioning of the rate for the Hundred of Halfshire. They resolved that the rate should be divided into five equal parts, and as between the two divisions into which the Hundred had been divided, Bromsgrove should pay three-fifths, and Kidderminster should raise the remaining two-fifths. The warrant is as follows :—

p. 484.

Apud Bromsgrove 16th April 1641. We thus agree concerning the proportioning of the rate for the hundred of the Halfshire as followeth, viz. :—

When any sum is imposed upon the said hundred it shall be divided into five equal parts, of which Bromsgrove division shall pay three parts and Kidderminster division two parts. And of those three parts so to be borne by Bromsgrove division the several parishes within the said division shall pay according to this proportion, viz., to the payment of the Master of the house of Correction, being for Bromsgrove division, £2 10^s 0^d.

And we also thus agree that after this proportion the said parishes shall pay in all other payments and Taxations whatsoever, and the same to be forthwith set down in a parchment roll so that it may be tendered at the next quarter Sessions of the peace, there to be confirmed by the justices of the peace attending, as in like case hath already been done.

	To the Master of the house of Correction £20.	To the Gaol £42.	To the mained soldiers £80.	To the muster master £47.	To the King's provisions £300.
<i>p. 485.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
King's Norton . . .	7 11	16 7 ob.	1 11 8	0 18 7	5 18 9
Bromsgrove . . .	7 11	16 7 ob.	1 11 8	0 18 7	5 18 9
Feckenham et Home	7 1	14 10 ob.	1 8 4	0 16 7 ob. $\frac{1}{4}$	5 6 3
Droitwich . . .	4 12 ob.	10 5	0 19 10	0 11 7 ob. $\frac{1}{4}$	3 14 4 ob.
Wychebold, Dodder- hill and Elmbridge	4 0	8 5	0 16 0	0 9 5	3 0 0
Redditch, Tardebigg and Bentley . . .	3 2 qr.	6 6 ob.	0 12 9	0 7 5 ob. $\frac{1}{4}$	2 7 ob. $\frac{1}{4}$
Northfield and Coston	2 10 $\frac{1}{2}$	6 9 $\frac{1}{2}$	0 11 5	0 6 8 ob. $\frac{1}{4}$	2 2 11 $\frac{1}{2}$
Salwarp . . .	2 6	5 3	0 10 0	0 5 10 ob.	1 17 6
Upton Warren and Cooksey . . .	2 0	4 2 ob.	0 8 0	0 4 8 ob.	1 10 0
Hampton Lovet . . .	2 0	4 2 ob.	0 8 0	0 4 8 ob.	1 10 0
Doverdale . . .	1 6	3 1 ob. $\frac{1}{4}$	0 6 0	0 3 6 ob.	1 2 6
Hadzor . . .	1 2	2 5 ob.	0 4 8	0 2 8 ob. $\frac{1}{4}$	0 17 6
Kington . . .	1 3	2 7 ob.	0 5 0	0 2 11 $\frac{1}{4}$	0 18 9
Church lench . . .	0 8	1 4 ob. $\frac{1}{4}$	0 2 8	0 1 6 ob. $\frac{1}{4}$	0 10 0
Part of Crowle . . .	1 0	2 1 $\frac{1}{4}$	0 4 0	0 2 4 $\frac{1}{4}$	0 15 0
	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
	2 10 0	5 5 0	10 0 0	5 17 6	37 10 0
<i>p. 486.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
Kidderminster borough and foreign . . .	5 7	11 10 ob. $\frac{1}{4}$	1 2 4	0 13 2 ob.	4 3 9
Chaddesley Corbett . . .	5 3	11 0 ob.	1 1 0	0 12 4	3 18 9
Belbroughton . . .	4 0	3 5	0 16 0	0 9 5	3 9 0
Oldswinford and Stourbridge . . .	2 8	5 7	0 10 8	0 6 3 $\frac{1}{4}$	2 0 0
Stone and Upper Mitton . . .	2 2	4 6 ob. $\frac{1}{4}$	0 8 8	0 5 1	1 12 5
Elmley Lovet . . .	2 6	5 3	0 10 0	0 5 10 ob.	1 17 6
Dudley . . .	2 0	4 2 ob.	0 8 0	0 4 8 ob.	1 10 0
Cradley, Warley and Ludley . . .	2 0	4 2 ob.	0 8 0	0 4 8 ob.	1 10 0
Frankley . . .	1 7	3 4	0 6 4	0 3 8 ob.	1 3 9
Hagley . . .	1 7	3 4	0 6 4	0 3 8 ob.	1 3 9
Pedmore . . .	2 0	4 2 ob.	0 8 0	0 4 8 ob.	1 10 0
Churchill and King- ford . . .	0 9	1 7	0 3 0	0 1 9 $\frac{1}{4}$	0 11 3
Rushock . . .	1 3	2 7 ob.	0 5 0	0 2 11 $\frac{1}{4}$	0 18 9
	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>	<i>£ s. d.</i>
	1 13 4	3 10 3	6 13 4	3 18 4 $\frac{1}{4}$	25 0 0

Tho. Littleton. Rich. Shynnet.
Rich. Greves. Roger Lowe.

The document is of interest outside the question of the value of each parish, although that is of importance, for the way in which it divides the moneys collected among the different authorities. The gaoler and the gaol took £62, the wounded soldier £80, provision for the King £300, and the muster master £47. Thus out of £489, no less than £347 went for military purposes. Justice cost the least, £62. This was because of the fees the gaolers were entitled to get from the prisoners, which made the gaols nearly self-supporting, while maimed soldiers was a charge placed on the different counties by Statute, and appears to have been a continuous charge, but varying in amount.

The military charges were the ones complained of. Up till now the Sovereign had kept the force out of the revenues of the Crown ; now it was sought to transfer it to the nation. This document gives some idea of what the charge meant, and why it was so resented.

There is no indication how the total charge was arrived at, nor how the division between the Bromsgrove portion of the Hundred, fifteen parishes, should pay three parts, and the Kidderminster thirteen parishes two parts.

It was agreed that in the Bromsgrove division whatever proportion of the total of the three parts was paid towards the sum payable for the House of Correction, the same proportion of the total should be paid by all the other parishes in that division.

This apportionment was to apply to all other rates.

There is nothing to shew how the division of the Hundred into two divisions was arrived at, nor how the Bromsgrove division paid more than the Kidderminster, nor why the sum payable to the Master of the House of Correction was fixed on as the unit for calculating the other payments.

This arrangement was subject to the approval of the Quarter Sessions and had to be confirmed there, and this appears to have been done on previous occasions.

Having settled how the Halfshire rate was to be borne, another entry shews how the rates were borne as between the Hundreds.

p. 487.

“The rate of the Hundred of Pershore agreed according to an order of Sessions made 6 Oct., 22 Jacobi as followeth.

Pershore and Blakenhurst Hundreds to bear a third part of the County which third part sub-divided Blakenhurst one part and Pershore 3 parts or four.”

Parliament met on the 15th April. The Worcestershire members were mostly new men.

For the County Sir Thomas Littleton.

Sir John Pakington.

Littleton had sat in all Charles's Parliaments. Pakington made his first and last appearance in this.

For the City John Coucher.

John Nash.

Coucher was an old member, had sat in some of James's Parliaments. Nash was new. He was the well-known founder of Nash's Almshouses in Worcester.

For Droitwich John Wylde.

Samuel Sandys.

Wylde was an old member, having sat in all Charles's Parliaments. Sandys was a new man.

Evesham William Sandys.

William Morton.

Both these were new men.

Bewdley Sir Henry Herbert.

He had not sat before for Bewdley.

Thus out of nine members, six were new.* In the King's

* Townshend's entry is:—

p. 469.

“The Parliament began 13th of April. Sir J. Littleton, Sir John Pakington, Baronets, Knights of the Shire.”

speech it was stated that the King had been compelled to raise an army. For the payment of that army money was urgently needed.

The House did not take the hint. On 17th April numerous petitions complaining of grievances were presented. Pym made a strong speech against the grievances under which the country suffered, on the one hand against the Roman Catholics, on the other against the new military charges which had formerly been borne by the Crown—coat and conduct money, cost of raising new levies, which it was now sought to put it on the public; “military charges,” he said, “and impositions upon counties by letters only from the Council Table, whereby soldiers’ conduct money and coats are to be provided at the county charge, and horses also provided without ground in law. Many things of this kind are done by Deputy-Lieutenants on their own account.” It will thus be seen that the Worcestershire grievances were brought before Parliament in spite of the efforts of the leaders of the Court party to legalize them. There is nothing to shew the part the Worcestershire members took: possibly none, for there was not much opportunity for new members. As the Parliament refused or delayed to vote the King money he had no need of them, so on the 5th May the King went down to Westminster and dissolved Parliament.

The following account of the men thus raised is summarized by Townshend:—

p. 469.

“April 22, 1640.

There was pressed for supply of the Trained Band which should go for His Majesty’s service to suppress the rebellious Scots out of this County of Worcester 600 men of foot. And they are to be exercised with the trayned men’s arms twice a week until the 20th May and then they are to go to Newcastle to the rendezvous.

Persons pressed for Elmley Lovett 3. Henry Powell, Richard Crow,* mason, Rowland Edwards, taylor, Christopher Stutty he was changed.”

* This name is struck out.

This probably refers to the direction that each man was to bring two others, and the best was to be selected, so a fitter man was put in Stutty's place.

The soldiers' departure was delayed. They were to have marched to the north on the 28th May. Their departure was then postponed until the 7th June, and then until July 1. In the interval they were to live at their own cost, and not at the cost of the country. In spite of this difficulties arose; some deserted, and when their place was filled up by new men these had to be clothed, so that a larger sum had to be expended on stores than was expected. Some only waited to get the conduct money and then deserted. Some the Deputy-Lieutenants, who appear to have acted as officers, considered unfit and discharged. The new men who took their places had to be drilled. At last, however, the difficulties were surmounted, and the march to the north was begun.

There are, unfortunately, no details of this march, nor as to the behaviour of the men when they reached the north. It is probable that they formed part of the 4000 men that were assembled at Selby under Sir Jacob Astley. Discipline was lax; the Dorset men murdered one of their officers who had struck a drummer with his sword for refusing to obey orders, an incident recorded by Townshend.* After killing the officer and maltreating his corpse the Dorsets deserted. A proclamation was issued for their arrest, but discipline had disappeared. Astley was not enamoured of his command; about the time the Worcestershire contingent arrived he reported that his men were "the arch knaves of the country." The truth of Astley's words was proved almost daily, as although fresh men were arriving at Selby, they were more and more disinclined to obey orders or submit to discipline. With the army in this state any vigorous action was impossible. On 20th August the Scots crossed the Tweed. On the 23rd Charles reached York to be at the head of his armies.

* *Ante*, Vol. I., p. 4.

On the 28th the Scots crossed the Tyne at Newburn and defeated the English. The army fell back, abandoning Newcastle to the Scots, who pushed on and occupied it. There was no more fighting. A Parliament was resolved on; the writs went out for its assembling on 3rd November 1640. No more is known of the Worcester levies, and it must be presumed they returned home.

At the elections for Worcestershire there was a considerable change in the representation. Neither of the members in the last Parliament, Littleton or Pakington were re-elected, but in their places Serjeant Wylde and Humphrey Salway were returned. Wylde was a most uncompromising opponent of the King, and did as much as anyone to create and foster an opposition in the county. The old members, Couchier and Nash, were returned for the City of Worcester. Endymion Porter took Wylde's place at Droitwich, Samuel Sandys retaining his seat. Sir Henry Herbert kept his seat at Bewdley, but for Evesham two new members were returned, Serjeant Cresswell and John Coventry. Out of the nine members, five were new men.

Parliament met on the 3rd November 1640. Lenthall was appointed Speaker. On the 7th debates on grievances began; the proceedings against Strafford delayed them for a time, but early in December ship money was declared to be an illegal levy, and the judges, in allowing it, to have acted contrary to law. This was followed up by a declaration as to religion. On the 11th December an order of the House of Commons was made requiring all Justices of the Peace to make churchwardens and others present the names of all Papists in their parishes to the next Sessions. The Townshend MS. gives a copy of the order :—

p. 187.

“A copy of an order sent from the House of Commons in Parliament concerning Recusants.”

received 27 Marti: 1642.

Die lunæ ijnd December 1640.

Upon an order this day made by the house of Commons now assembled in Parliament That all the justices of peace within the several counties of England and Wales be from this house required and enjoined to command the churchwardens and other officers of the said Counties within their precincts to present unto them the [names] of all the several recusants within [their] parishes to the end they may be pro[ceeded] against with effect according to law at [the] next Sessions notwithstanding any inhibition or restraint. These are by virtue of the said order to require and enjoin you the Justices of Peace within the County of Worcester and the liberties thereof to command all the churchwardens and other officers within the said county and the liberties thereof to present unto you the names of all the several recusants within their parishes and precincts to the end they may be proceeded against with effect according to law and according to the full intent, purpose and true meaning of this order.

Although the House appears to have been in a great hurry to make the order, yet it seems that when once made they were in no hurry to act on it. In the Townshend MS. there is a note "received on the 27th March 1642." From the Sessions Records this seems to have been the date at which the Court took active steps against the Catholics. There is at the Easter Sessions in that year, 19th April 1642, a presentment entitled—

"Concerning recusants and imprimis those who have absented themselves from their parish church or chapel for the space of one month last past."

1642/42, lxxix., 6.

The presentment contains the names of 223 persons in 34 parishes.

The money question was most pressing, and this the Parliament recognized by passing a Bill for levying four subsidies, two at once and two later. The usual course was followed. Two justices, in this case Henry Townshend himself and Philip Brace, sent their warrants to the high constables of the different Hundreds ordering them to notify the parish constables

to give warning to three or four of the chief inhabitants of the parish to appear before the justices at Bromsgrove to receive instructions how to proceed with the levy.

The warrant is as follows :—

p. 169.

Wigorn SS., 1640. Four subsidies granted. 2 now to be gathered.
To Francis Smith and John Butler, gent., High Constables for the hundred of Halfshire.

Whereas we have received the King's Majesty's commission under His Highness great seal of England for the taxing, rating, collection and payment of the two first subsidies of four whole and entire subsidies lately granted to his Majesty his heirs and successors by Act of Parliament, This therefore in his Majesty's name straight[ly] charge and command you forthwith upon [receipt] hereof to send unto all the petty Con[stables in] your division, which do belong unto the of the Halfshire to be and appear [before] us at Bromsgrove at the there by eight of the clock upon morning being the sixteenth d[ay of] this instant month of March requiring [the] said petty Constables to give summons and warning unto three or four or more of the chief inhabitants of every parish to appear there likewise before us as assessors for the said subsidies, And further to do and accomplish all that shall be then enjoined them touching the said Act whereof they may not fail as they and every of them will avoid the penalty of forty shillings to be imposed upon every one of them making default. And hereof fail you not at your perils. Dated at Elmley Lovet this 8th of March 1640.

Henry Townshend. Philip Brace.

This is followed by an order to the constable and assessors of Elmley Lovet ordering them to get in the first two of the four subsidies Parliament had granted the King.

p. 171.

To the Constable of Elmley Lovet and to the persons undernamed, assessors for the said parish.

By virtue of his Majesty's most gracious commission to us and others directed for the levying and collecting of the two first subsidies of the four whole and entire subsidies lately granted to his Majesty, his heirs and successors from the Laity by act of Parliament, these are in

his highness' name to charge and command you to give present to every the particular persons undernamed and appear before us at Bromsgrove upon the 16th day of this instant m[onth] by [nine of the] clock in the morning, and then in their presentments for the said entire subsidies being so thought fit [for] more speedy dispatch of this service, and for easing of the county of double meetings. And further to do and accomplish all that shall be enjoined them by us touching the said Act. Requiring you likewise to whom this precept shall first come to shew and deliver the same to the rest of the inhabitants undernamed. Whereof fail you not the accomplishment as you will avoid the penalty of forty shillings to be imposed upon every of you making default. Dated at Bromsgrove 16th of March 1640.

Hen. Townshend, Philip Brace.

This was followed by a warrant directed to the parish constable and the sub-collector ordering them to bring in the money they had "gathered" on the . . day of April at 9 o'clock in the morning.

p. 172.

["To] the constable of the parish of Elmley Lovett and to A. H., I. B. and T. C. sub-collectors [of] the said parish.

. . . . same form of warrant as the High Collectors unto them them only add To Robert Kimberley of Bromsgrove, Gent., ter for the Hundred of Halfshire at or upon the [A]prill by nine of the clock in the morning. [Where]of fail you not at your perils. Dated at Elmley [Lovett] the first day of April 1641."

A note is added—

"[Give] like account to the High Constable for calling in the Petty Constable and bringing assessors for the Poll money."

The Poll money is dealt with later in 1641. The collection of a double subsidy which came to £9 12s. 0d. for Elmley Lovett was considered of sufficient importance to require a new assessment of the parish. One was accordingly made; nineteen people had to pay.

Townshend himself was assessed at £4 from land, Thomas Tyner was assessed at £3 from goods, John Bourn at £2 from land, and all the rest at sums under a £ from land. The three last names are those of Papist recusants ; they are not assessed, but all over 17 were, by the Act 16 Car. I., c. 4, ordered to pay a sum of 8*d.* each. The document is as follows :—

p. 175.

Elmley Lovet, 24th March 1640.

An assessment made for the assessing and taxing of the Inhabitants of the parish of Elmley Lovet for two whole first and entire subsidies of four subsidies lately granted to his Majesty by Act of Parliament.

				A single subsidy.	
				<i>s.</i>	<i>d.</i>
				£ <i>s.</i> <i>d.</i>	
Commissioner	Hen. Townshend, arm. in ter: .			4	0 0
	John Bourn, gent., in ter: .			2	0 0
	Thomas Tyner, gent., in bon: .			3	0 0
	Thomas Insoll, in ter: .			1	10 0
	Charles Bacon, in ter: .			1	0 0
	Eleanor Feild, wid., in ter: .			1	0 0
	Philip Best, wid., in ter.: .			1	0 0
	John Barnard, in ter: .			1	0 0
	Edmund Ryall, in ter: .			2	0 0
	Charles Horward, in ter: .			1	10 0
	Thomas Moule, in ter: .			1	10 0
	Francis Clent, in ter: .			1	0 0
	John Smith, in ter: .			1	0 0
Assess: {	Edmund Smith, in ter: .			1	0 0
	Thomas Cammell, in ter: .			1	0 0
	Anthony Acton, in ter: .			1	0 0
	Humphrey Cook, recusant			0	0 8
	Elizabeth Cook, recusant			0	0 8
	Alice Cooke, a recusant .			0	0 8
				4 16 0	

Assessors Edmund Smith.
Thomas Cammell.
Anthony Acton.

The double subsidy is £9 12 0.

E

The High Collector had to give a bond to the King for the due payment of all monies he received. The bond was for £1000, and was in the following form :—

p. 177.

“The bond for the High Collector to be bound to the King.

Noverint universi per presentes me Robert Kimberley de Bromsgrove in Com: Wig: gent: teneri et firmiter obligari serenissimo domino nostro Carolo Regi in mille libris bone et legali monete Anglie solvendum erit serenissimo domino Regi Heredibus et successoribus suis. Ad quam quidem solutionem bene et fideliter faciendam obligo me heredes executores et administratores meos firmiter per presentes sigillo meo sigillatum. Datum primo die aprilis Anno domini 1641 Anno R. Regis domini nostri Caroli Dei gratia Angliæ Scotiæ Franciæ et Hiberniæ Regis fidei defensoris decimo septimo.

The condition of this obligation is such that whereas [the] above bounden Robert Kimberley is nominated and ap[ointed] chief collector of the two first of four whole [and entire] subsidies granted to his Majesty his heirs and succ[essors] by Act of Parliament for the whole hundred of [Half]shire within the said County of Worcester. If then [the] said collector his heirs or executors or administrators do . . . truly content, satisfy and pay to the use of the K[ing's] Majesty his heirs and successors in the receipt of His M[ajesty's] Exchequer according as is limited by Act of Parliament such days and times so much of the said moneys as is appointed and allotted to his collection that then this present obligation to be void and of none effect or else to stand in full force, effect and virtue.

Sealed and delivered in the presence of

Henry Townsend } Commissioners

Philip Brace } for the subsidy.

Henry Townsend, Jun^r.

John Wynnes.

Thomas Prichard.”

Robert Kimberley.

It will be seen from the above that the first results of the Long Parliament were not to bring about any relief in local taxation.

Two subsidies were raised in the spring on Elmley Lovett, amounting to £9 12*s.* *od.*, of which Townshend paid £1 12*s.* *od.* ; and another two were voted, making, on the £24 10*s.* *od.* at

which Elmley Lovett was assessed, a sum of no less than £19 4s. 0d. paid in taxes. Certain persons appear to have been exempt—why does not appear, but as they were assessed at £5 it was a substantial proportion of the sum. Another feature is the rate at which the Roman Catholics were charged; they are not assessed, as they could not legally receive all their rents, so a charge of 8d. was made for each of the three Cookes. It should be noted they are the only people in the parish who paid less than one shilling.

CHAPTER III.

1641.

The Townshend papers for this year mostly relate to taxation. Money was still the most pressing necessity of the Government. The Scots wanted at least half a million to pay the expenses of the war, and they contended that this debt was mounting up by £850 a day. Steps had to be taken at once to meet this, and the directions as to the proportion of the rates to be levied on the two divisions of the Hundred, and as to the payment to the Master of the House of Correction to be the basis, were re-issued. These directions are as follows :—

“Apud Bromsgrove 16 April 1641. We thus agree concerning the proportioning of the rate of the Hundred of the Halfshire as followeth, viz^t, Where any sum is imposed upon the said hundred it shall be divided into five equal parts, of which Bromsgrove division shall pay three parts and Kidderminster Division two parts. And of those three parts so to be borne by Bromsgrove Division the several parishes of the said Division shall pay according to this proportion, viz^t, To the payment of the Master of the House of Correction being for Bromsgrove division £2 10s. *od.*

And we also thus agree that after this proportion the said parishes shall pay in all other payments and Taxations whatsoever. And the same to be forthwith set down in a Parchment Roll that such may be tendered at the next Quarter Sessions of the Peace, there to be confirmed by the Justices of the Peace according as in like case hath already been done.”*

These directions were followed by the forms to be used. The first of which is a very much decayed certificate as to the place where a person liable to be taxed to the subsidy should be returned. It was to be the place where he had dwelt in the last year that settled in which Hundred he should be taxed, and at

* P. 484.

what sum, and whether on land or goods. As above stated, the different Hundreds contributed to the subsidy at different rates. The certificate is in this form for lands :—

p. 178.

Wigorn com. To His Majesty's Commissioners for the Hundred of
O or P or for the County of S.

These are to certify you that R. L. of Bromsgrove, Gent., is and hath been most resiant within the Hundred of Halfshire for the most part of the year last past, and is assessed and taxed in Bromsgrove after £vi. in ter[ris] and there pays to the subsidy accordingly.

Dated at Elmley Lovett this day of April 1641.

Hen. Townshend }
Philip Brace } Commissioners.

And in the following form for goods :—

p. 178.

Form of Certificate.

To all people to whom these shall concern. These are to certify you that Francis Finch of Rushock within the County of Worcester, Esquire, is and hath been most resiant at Rushock within this county for most part of the year last past and is assessed and taxed at Rushock after five pounds in bonis and there pays to the subsidy accordingly.

Dated at Elmley Lovett the day of April 1641.

Commissioners pro Hen. Townshend.
Hundred' de Philip Brace.
Dimid' Comit'.

Another form of certificate called the "Landowners' Certificate" is also given :—

p. 179.

The landowners form of certificate.

Wigorn. We his Majesty's Commissioners (amongst others) authorized by his Highness commission under the great seal of England for the taxing, levying (of the two first subsidies of four entire subsidies) granted to his Majesty by the laity by Act of Parliament holden at Westminster in the (xvith) year of his Highness' reign do hereby signify and declare unto all whom it may concern that of the parish of is taxed and assessed towards the payment of the said (two first subsidies at).

parish of Elmley Lovet for the two last of four whole and entire subsidies lately granted to his Majesty by Act of Parliament.

Commissioner	Henry Townshend, arm ^r	.	in ter:	£iiii	xxxii ^s
	John Bourn, gent.	.	in ter:	xl ^s	xvi ^s
	Tho. Tyner, sen., gent.	.	in ter:	xl ^s	xvi ^s
	Tho. Insoll	.	in ter:	xxx ^s	xii ^s
	Eleanor Field, wid.	.	in ter:	xx ^s	viii ^s
	Philip Best, wid.	.	in ter:	xx ^s	viii ^s
	Edmund Ryall	.	in ter:	xl ^s	xvi ^s
	Charles Horwood	.	in ter:	xxx ^s	x [ii ^s]
	Thomas Moule	.	in ter:	xxx ^s	[xii ^s]
	Francis Clent	.	in ter:	xx ^s	[viii ^s]
	John Smith	.	in ter:	xx ^s	[viii ^s]
	Edmund Smith	.	in ter:	xx ^s	[viii ^s]
	Thomas Williams alias Scot	.	in ter:	xx ^s	[viii ^s]
Assessors	Anthony Acton	.	in ter:	xx ^s	v [iii ^s]
	Thomas Cammell	.	in ter:	xx ^s	viii ^s
	John Barnard	.	in ter:	xx ^s	viii ^s
Recusants	Humph. Cooke.				
	Elizabeth Cooke	.	per pol.	xvi ^d	
	Alice Cooke.				
Sum total				£9	12 ^s 0

Of the nineteen landowners Townshend was by far the largest, he having £4 a year, only two others have 40s., and three 30s., all the rest 20s. The subsidy works out at a shilling in the £, and gives a total of £9 12s. 0d. A 1d. rate now (1916) produces £17 1s. 4d., or nearly double what two subsidies would then produce. The taxing of the recusants is continued at so much a head. In the presentment to Sessions of 1642 the three Cookes were included as recusants.

All these elaborate precautions shew that in various ways people were able to evade contributing their share to the subsidies. A new plan was therefore brought forward to impose a poll tax as a means of raising money, with a graduated scale of payment according to the position and rank of the different persons liable to pay it. On 5th July the Royal assent was given

The form of the preliminary notice the Commissioners issued under the Act was as follows :—

Wigorn. SS. To Francis Smith and John Butler, gent., High Constables for the Hundred of Halfshire.

Whereas we have received the King's Majesty's Commission under his Highness' seal for the taxing, levying, collecting and paying of all such sums of money and in such manner as lately by an Act of Parliament intituled "An Act for the speedy provision of money for disbanding the armies" that more at large appears. These are therefore in his Majesty's name straitly to charge and command you forthwith upon receipt hereof to send unto all the petty Constables within your divisions as well within liberties as without which do belong unto the Hundred of Halfshire, to be and appear before us at Bromsgrove at the town hall there by eight of the clock in the morning upon being day of July requiring the

said petty Constables to give a summons and warning unto two, three or more of the most sufficient and honest inhabitants of every parish according to the greatness of your parishes to appear there likewise before us to receive such orders and directions as shall be to them expounded for their making of the certificates in a business of this great importance and nature upon pain of forty shillings imposed upon every one making default. Dated at Elmley Lovet this day of July 1641.

Hen. Townshend.
Philip Brace.

In accordance with the Act the meeting at Bromsgrove was followed by the warrant to the collectors for the poll money.

p. 183.

The warrant to the Collectors for the Poll money.

To the Constable of the Parish of Elmley Lovet and to Anthony Acton, John Barnard and to John Best, sub-collectors for the poll money.

These shall be to require you and in the King's Majesty's name straightly to charge and command you that speedily and diligently you do levy by way of distress, if need require, to such uses as the parliament hath appointed the particular sums of money upon every of the persons to this warrant annexed within your parish for the payment of the poll money (granted by Act of Parliament for the disbanding of the armies and settling the peace of the two kingdoms) unto Henry Townshend and Philip Brace, Esq^{rs}, assigned as commissioners and receivers for the same at the house of William Syner at the sign of the Bull in Kidderminster at or upon [the] 19th day of August being Thursday upon and forfeitures and dangers as are expressed of Parliament. And thereof fail you n[ot at your] perils. Dated at Bromsgrove this 11th day of 1641.

Hen. Townshend.
Philip Brace.

This was followed by the Commissioners' certificate :—

p. 184.

19th August. To the Commissioners for the poll money at the Guildhall within the city of London and to all others whom it may concern.

These are to certify you that H. T. of parish of E. within the County of Worcester is assessed, rated, and taxed to the poll money at

£50 per annum, and that he paid the sum of 40^s according to the Act in that case provided at E. aforesaid. Dated at Kidderminster this 19th day of August 1641.

Commissioners pro Hundred de dimidio
Comitat' in Comit: Wigorn.

There must be a seal
. . . . to

Henry Townshend.
Philip Brace.

[Wigo]rn. SS. To the right worshipful Sir Arthur Ingram, Sir Robert Pye, K^{ts}, William Wheeler and William Bell, Esq^{res}, Treasurers for the poll money, etc.

We whose names are subscribed, Commissioners of our Sovereign Lord the King's Majesty amongst others within the County of Worcester for the taxing, levying and collecting the sums of money limited and appointed to be paid for the disbanding of the armies and settling the peace of the two kingdoms of England and Scotland granted to his Majesty's use by Act of Parliament holden at Westminster in the 17th year of his Majesty's reign, do hereby certify as by the statute is appointed that A. B. of E. is taxed and assessed at £10 and hath paid the same. Dated at Worcester this of August 1641.

Henry Townsend.
Philip Brace.

Then comes the receipt :—

p. 185.

A form of Acquittance for Poll money.

At Kidderminster 19th August 1641.

Mem. received the day and year above written of the Constable and the rest of the collectors for the poll money of the parish of Elmley Lovet the sum of being the full and just sum assessed upon the several heads of the parishioners according to the presentment delivered unto us deducting the 1^d in the pound for their paying in the said collection according to the allowance by Act of Parliament. In witness whereof we, Commissioners for the poll money within the hundred of Halfshire, have put our hands and seals the day and year above written.

Henry Townshend.
Philip Brace.

The special provisions in the Act authorizing the payment of

Poll money made a new assessment of the parishes in the Hundred necessary. The following was made :—

p. 189.

697.

Wigorn Com. The Assessment for the Hundred of Halfshire for the poll money gathered in 19th Aug. 1641.

	£	s.	d.
Bromsgrove	56	12	0
Belbroughton	20	17	6
increased £4 15s. 0d.			
Bentley	10	14	8
Tardebigge and Redditch	10	7	0
Chaddesley Corbett	14	9	0
Chradley	7	4	6
Cofton Hacket	6	15	0
Churchill	1	0	0
Churchlench	1	5	0
Part of Crowle	3	11	0
Doverdale	19	6	8
Droitwich	60	15	6
Dudley	29	2	0
Elmbridge	12	15	8
Elmley Lovet	14	13	6
Frankley	32	07	6
Feckenham	22	12	0
Hadzor	1	17	0
Hagley	2	3	0
Hampton Lovet	45	2	0
Kidderminster borough	84	0	0
Kidderminster foreign	42	13	0
King's Norton	82	15	2
Kington	2	7	6
Kingford	0	9	6

p. 190.

Ludley	4	10	0
Northfield	16	1	8
Oldswinford and Stourbridge	33	1	8
Overmitton	3	5	0
Pedmore	2	7	6
Rushock	17	1	0
Salwarp	9	11	6
Stone	10	5	6

Upton Warren and Cooksay	24	9	6
Worley	3	9	0
Wichbold and Dodderhill	9	17	6
	<hr/>		
	£720	3	2
	<hr/>		
Sum. tot.	720	4	2

This Poll money assessment is of interest. It brings out two points of importance: (1) a comparison between it and the assessment for the two subsidies shews how the subsidies were evaded. Kidderminster Borough was taxed at £35 for the subsidies, and for the Poll tax £84. Droitwich £30 12s. *od.* for the subsidy, £60 15s. 6*d.* for the Poll money. Dudley £8 9s. 4*d.* for subsidy, £29 2s. *od.* for the Poll tax. (2) The fact in the Kidderminster case of a Knight (Sir Ralph Clare) living in the borough at once raised it to a higher assessment. Sir John Pakington at Droitwich may account for some part of the difference there. How heavily this new assessment must have borne on the parishes is clear, as the mere fact of having a great man living in or near the parish sent up the assessment tremendously. Resident titled landowners could not have been an unmixed blessing.

Another poll money document preserved in the Townshend MS. discloses a curious state of things. The collectors for the Hundred of Halfshire presented a petition to the House of Commons stating how carefully they had done their work, but yet they had been lectured by the Speaker, who wrote to the Sheriff complaining of the great partiality the Bromsgrove officers had shewn. This they denied, and sent the following reply to the House of Commons:—

To the Honourable House of Commons this presented.

The certificate upon the review.

p. 191.

May it please you

Whereas we amongst others received his Majesty's commission under his Highness' great seal of England for the taxing, levying and

paying of all such sums of money and in such manner as lately by an Act of Parliament entitled "an Act for the speedy provision of monies for the disbanding of the armies" was set down, etc. According to such commission we within our limits and divisions (which is the Hundred of Halfshire within the County of Worcester) did cause to be summoned and appear before us so many of the most substantial persons of every parish as well within liberties as without as were thought necessary; to whom we gave such directions for the taxing of every person as the Act of Parliament expressed, without any favour, affection or partiality; and further pressed the said assessors in the delivering in of their presentments unto us that they would be careful and use an equal balance to all, which they attested to have done to their uttermost power. Whereupon we granted forth the warrants for the speedy collecting thereof which was performed with all possible haste and paid by us to the High Sheriff £573 by the 4th of September last and had paid in £100 more, but they being of the House of Parliament there paid their several sums there which we should else have received here and the residue of monies as being small will be paid in suddenly. But it seems informations being given to this honourable House, that much partiality hath been used in many counties in this great tax for the poll money, it pleased this honourable House by M^r Speaker to write letters amongst others to M^r Sheriff of our County which likewise was communicated unto us commissioners, that they took notice of the great partiality which hath been used in rating of men, and so we should in time consider of it. Whereupon we forthwith summoned the assessors for the whole hundred to appear before us to review their presentments and to amend all mistakes and errors; but we found them all very constant to their first presentments, and avowed they had truly, faithfully and diligently performed their duty and service.

p. 192.

Shortly after we received an order from this Honourable House dated 9th Sept. that we should take a strict and impartial review of all certificates and rates for the poll money and return particular and exact certificates of our proceedings unto you; in obedience whereof (though we did anticipate the order in causing an exact review before) we summoned all the assessors of every parish throughout the hundred of Halfshire upon the 12th of this month, and did then not only read the order of the House unto them, but examined the Assessors of every particular parish of their presentments, whether they could amend them either in raising men to a higher value upon better information, than they had at first of their estates or had forgotten any man's name, which

should have been taxed, that there might be an equality used towards all, in which if they were found faulty thereafter, they which were guilty were in danger of an heavy censure from the House.

To which they all made an unanimous and free answer, except one parish, that they have been so careful, so precise, so indifferent to all that they know not where to amend their presentments (as far as they could possibly judge of every man's estate, or have any knowledge upon inquiry) and were ready to justify their said acts to or before any persons whensoever they shall be called to an account. Only one parish did confess they have now better information of some men's estates and have raised more £5 and 1^s, which is all the sums of money as upon the review for the present can be gotten. This we make bold to certify our particular proceedings from the beginning, assuring and believing that the Assessors have been very laborious and exact in all this tax. And how other counties or hundreds have managed your commands we know not. As for this hundred we believe the Assessors have done, as far as in them lies, their uttermost endeavours; and as for our own persons we shall be ready to vindicate ourselves from any aspersions, if there shall be any tendered of favouring any friends, neighbours, tenants, or ourselves, and that we have performed our duty and office with candour and sincerity, as becometh persons that are in so great a service entrusted, Hoping you will be pleased to give credence to these certificates from your humble servants

Hen. Townshend.

Philip Brace.

17 October 1641.

Having replied to the charges of the House of Commons, Townshend and Brace in their turn complain to the Treasurer of the Poll money.

p. 193.

The Certificate for the poll money payment.

To the Treasurer for the poll money nominated by Act of Parliament.

Wigorn. SS. We amongst others appointed Commissioners for the poll money within the county of Worcester do certify by these presents that we have paid into the hands of Daniell Dobins, Esq^{re}, High Sheriff of the County of Worcester, the sum of five hundred ninety one pound sixteen shillings and eight pence over and above the abatements of two pence the pound for Commissioners and Collectors allowed of the poll money collected and gathered within the hundred of Halfshire, for which

sum we have received an acquittance under M^r Sheriff's hand and seal. Likewise we certify that the persons hereunder written did not pay unto us the several sums assessed upon their heads in respect they are parliament men and paid there.

Sir John Packington, Baronet . . .	£40
Sir Ralph Clare, K ^t of the Bath . . .	£30
John Wyld, Esq ^r , Serjeant at law . . .	£20

We certify that George Wyld, esq^{re}, being taxed as a barrister in the sum of £10 humbly desired respite until he came to his chamber in the Temple, as being uncertain, whether he was not to pay as a member of the House, in which place if he be not taxed, upon M^r Sheriff's return will pay the sum of £10 at London.

We certify that Daniel Dobins, Esq^{re}, High Sheriff of our county for to account for his own £10 which he is taxed at.

We certify that John Hopkins, esq^{re}, being assessed in £10 desired respite until he came to London, which is the chiefest place of his abode, and if he found himself not taxed, nor no friend discharged his tax, would tender it to you or M^r Sheriff.

We certify that M^r Adam Hough that he hath paid as by certificate shewed as an Attorney at law three pound.

p. 194.

We certify that M^r James Nash which was taxed within this hundred at five pounds did discharge himself by a certificate out of the hundred of Doddingtree from the Commissioners there.

Soe that we have paid £591 16^s 8^d. In certificate £98, respited

£719 16^s 8^d.

£30, which is £726 1^s 0^d.

Soe there remains for M^r Sheriff to account to you in monies, certificates and respites, seven hundred and nineteen pounds sixteen shillings and eight pence.

If there be any mistakes through ignorance, forgetfulness or sums not rightly cast up, we hope you will excuse us, as being ready to amend any error upon better information, and if there be any more monies that shall come to our hands, we shall be ready to tender it to your receipt. So we rest your humble servants,

Commissioners pro hundred de dimidio Comitatu
in Comitatu Wigorn.

Kiddermiuster in Comit:
Wigorn., 6th November 1641.

Hen. Townsend.
Philip Brace.

The difficulty appears to have arisen from Dobbins the Sheriff having got somewhat mixed in his accounts. Whether it was his fault or that of his Under-Sheriff Thomas Bund does not appear, but from "ignorance, forgetfulness, or sums not rightly cast up," or misappropriation, the accounts were not correctly balanced, so the Commissioners Townshend and Brace, both Royalists, tried to pass off all defaults on the Roundhead Sheriff. In January the following entry appears :—

This certificate was so summed as appears £6 4^s 4^d, and upon a new review and cast up we find the sum to be £720 03^s 02^d. And so we return it unto the receivers of the Poll money by the hands of Mr Daniel Dobins, Esq^{re}, who is to be accountable for so much in money certificates and have not paid. Jan. 25, 1641.

In the general fault-finding with the way public officials then did their duties, the Sheriffs did not escape. It may have been the Poll money accounts or other matters that produced the following resolution as to Sheriffs' entertainments :—

p. 461.

Die Jovis 5^o Augusti 1641.

The House of Commons having received complaint of the great charge of Sheriffs of Counties by reason of presents, entertainments and other provisions given and made to and for the Judges and fees paid to their servants during the time of the Assizes kept, and of the like Complaints that great sums of money that Counties, Cities, Corporations and Boroughs through which the King passeth are enforced to pay unto his Majesty's officers as pretended fees and duties whereas no such are due by the laws of this kingdom doth hereby publish and declare that they think it fit that hereafter no such presents, entertainments, provisions or pretended fees or gifts shall be demanded, given or paid, nor that any Sheriffs hereafter at the Assizes in his own County give any entertainment or keep any house there for the Gentry of the County or any other in regard of his being Sheriff, other than for his necessary attendants. And whosoever shall do contrary to this declaration and vote shall be esteemed by this House a person therein giving example inconvenient to the public.

H. Elsing,
Cleric. domus Com.

Townshend was somewhat perturbed about Sheriffs and their powers and duties. He devoted no less than seven pages of his Diary (454 to 460) to extracts from Dalton and other authorities, which he styles "An abstract of the office of Sheriffs.*"

In October 1641 fresh levies were made. The first notice of them is a list of "Contributors to the subsidies." It is not clear what this is. It looks like some persons paying or contributing to the other's taxes.

p. 196.

Contributors to the Subsidies 25th Oct. 1641.

Fortune Manning, wid., to widow Feild	ij ^s
{ John Best, son to widow Best	ij ^s
{ Philip Best to the widow Best more	i ^s
John Best, jun ^r , to Tho. Moule	ij ^s
{ Francis Webley to Tho. Cammell	i ^s vi ^d
{ Francis Hanbury to Tho. Cammell	i ^s iv ^d
Humphrey Thatcher to Edm. Smith	iii ^s
Charles Bacon to Anthony Acton	ij ^s
{ John Typper to Charles Harwood	ij ^s
{ John Jaks to Charles Harwood	vi ^d
{ Joan Best to John Barnard	ij ^s
{ John Stone to John Barnard	i ^s
John Potter to Edmund Ryall	ij ^s
William Hunt to Tho. Insoll	ij ^s
Humph. Cooke to Tho. Williams <i>alias</i> Scot	ij ^s
Hugh Hale to Tho. Danks	ij ^s

Two lists follow : (1) The sum raised from the inhabitants of Elmley Lovett, and (2) The amount each parish in the Hundred of Halfshire paid to the double subsidy :†—

p. 197.

Wigorn. SS. An assessment made this 25th of October 1641 for the taxing and assessing of the Inhabitants of this parish of Elmley Lovet for two whole and entire subsidies granted for further relief of his Majesty's army, etc.

Commissioner Hen. Tounshend, arm ^r	in ter: £iiiij	xxxij ^s
John Bourne	in ter: xl ^s	xvi ^s

* See *post*, Chap. XI.

† See *ante*, pp. 3, 25.

	Tho. Tyrer, sen ^r , gent.	.	in ter:	xl ^s	xvi ^s	
	Tho. Insoll	.	in ter:	xxx ^s	xvi ^s	
	Eleanor Feild, widow	.	in ter:	xx ^s	vii ^s	
	Philip Best, widow	.	in ter:	xx ^s	vii ^s	
	Edmund Ryall	.	in ter:	xxx ^s	xvi ^s	
	Charles Harwood	.	in ter:	xxx ^s	xii ^s	
	Thomas Moule	.	in ter:	xxx ^s	xii ^s	
	Thomas Danks	.	in ter:	xx ^s	vii ^s	
	John Smith	.	in ter:	xx ^s	vii ^s	
	Thomas Williams <i>alias</i> Scot		in ter:	xx ^s	vii ^s	
Assessors	{	Anthony Acton	.	in ter:	xx ^s	vii ^s
		Thomas Cammell	.	in ter:	xx ^s	vii ^s
		John Barnard	.	in ter:	xx ^s	viii ^s
				Sum	£ix	vii ^s
Recusants	{	Humph. Cooke	} per pol.			
		Elizabeth Cooke				
		Alice Cooke				
				sum.	o	4 ^s o.

It will be noticed that while the Church of England parishioners are taxed on the value of their land, the Roman Catholics are again taxed at so much a head.*

The second, the parochial list, gives the recusants in a separate column :—

p. 199.

Wigorn. SS. Halfshire Hundred. An Assessment for the two subsidies granted in Parliament for further relief of his Majesty's army in the northern parts. 25th October 1641.

41 S.						
Belbroughton	.	.	.	£xvi	o	o pro recusants £o 9 4
Bentley, Tard and R ^d	.	.	.	21	16	8 1 6 o
Bromsgrove	.	.	.	46	8	o 1 9 4
Chaddesley Corbett	.	.	.	25	2	8 o 6 8
Cofton Hacket	.	.	.	4	16	o o o o
Churchill	.	.	.	1	8	o o o o
Church Lench	.	.	.	1	12	o o o o
304						
Cradley	.	.	.	.	5	o o o o o o o

* See *ante*, pp. 25, 31.

Crowle part	4	6	8	0	0	0
Doverdale	3	12	0	0	0	0
Droitwich	28	12	0	0	0	0
Dudley	7	12	0	0	0	0
Elmbridge	10	0	0	0	0	0
Elmley Lovet	9	0	0	0	4	0
Feckenham	16	4	0	0	0	0
Frankley	9	12	0	0	0	0
Hagley	5	8	0	0	0	0
Hadsor	2	16	0	0	0	0

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Hampton Lovet	16	4	0	0	0	0
Kidderminster Borough	30	0	0	0	0	0
Kidderminster Foreign	22	16	0	0	0	0
King's Norton	44	12	0	0	0	0
Kington	4	0	0	0	4	0
Kingford	1	4	0	0	0	0
Ludley	1	12	0	0	0	0

p. 200.

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Northfield	15	6	8	0	0	0
Old Swinford and Stourbridge	14	16	0	0	0	0
Overmitton	2	8	0	0	0	0
Pedmore	3	4	0	0	0	0
Ruscock	6	4	0	0	0	0
Salwarpe	14	16	0	0	0	0
Stone	8	0	0	0	0	0
Upton Warren and Cooksey	9	0	0	4	10	8
Worley	4	8	0	0	0	0
Wychbold et Dodderhill	12	8	0	0	0	0

Sum. pro subsidis . . . £43¹ 6 8 pro Recus £8 16 0

In total £44⁰ 2 8

Paid into the Exchequer by Thomas Shaw, High Collector ut pat. pro quietus est £422 12 8, so for the Commissioners and clerks' fees at 1^d the pound I received 35^s 2^d, abated the 14^d, received 34^s, 11th July 1642.

This concludes so much of the Diary for 1641 as relates to taxation. The rest deals with religious grievances.

On the 1st November 1641, the Lords sent a message to the Commons that they had matters of great importance to communicate. On being admitted to the House of Lords they were informed of the intended Irish rebellion which was to have broken out on the 23rd October. This caused a great movement against the Roman Catholics, both as to those about Court and those residing in the different counties. The Lord Keeper, Sir Edward Littleton, wrote the following letter to Worcestershire :—

p. 233.

To his loving friends, the Sheriff, deputy Lieutenants and justices of the peace within the County of Wigorn.

Whereas there hath notice been given to the parliament that the Popish recusants have appointed a day to assemble themselves being the xvij day of this instant November within certain counties of this kingdom whereof your county is one, which may tend to the great disturbance of the peace of this kingdom, These are therefore in his Majesty's name and by the authority of the Parliament to will and require you the then Sheriff and Deputy Lieutenants, Justices of the Peace, and all other officers of the several counties to look carefully that no such unlawful assemblies shall be; And to require you to suppress such assemblies or meetings by the force of the countie or otherwise as you will answer it to the contrary.

Ed. Litteleton.

London this 18th November 1641.

The Lord Keeper's letter stirred up the justices to take action in church matters. At the Epiphany sessions the Court agreed upon the following petition to the King and Parliament, which was signed by the justices and others throughout the county :—

p. 477.

A copy of the County of Worcester petition to the King's Majesty and Parliament for Church government and Liturgy, etc., subscribed at Christmas Sessions 1641 by the Justices and Gentry, etc., and commended to the whole county.

To the King's most excellent Majesty and to the Honourable house
of Parliament.

The humble petition and remonstrance of the Gentry, Clergy,
Freeholders and Inhabitants of the County of Worcester

Humbly Sheweth,

That we having been bred up in the true Protestant religion and doctrine of the Church of England established by the law of this kingdom, agreeing with the Confessions of the Reformed Churches, and sealed with the blood of many holy martyrs, And under a Church government administered by Bishops ever since the Reformation which functions we believe to be of right and lawful institution, And having been likewise blessed with an uniform Liturgy ratified by law and with general consent received and continued amongst us, Unto which doctrine and government your petitioners have hitherto with much satisfied consciences lived conformable. Now in discharge of our duties and consciences we humbly represent as a great grievance that of late there have sprung up diverse sects and schisms and many dangerous doctrines are publicly vented and the Government of the Church by Bishops under those Religious princes of ever blessed memory Queen Elizabeth and King James traduced as Antichristian, the Liturgy depraved, and in some places neglected, which Insolences and extravagances do much discomfort your petitioners.

Your petitioners therefore being apprehensive of the Scandal thereby brought upon the true protestant Religion do in all Humility supplicate your Sacred Majesty and this Honourable assembly for the continuance of Church government and establishing of the Liturgy and uniform service of God amongst us. And we shall pray God to bless and prosper your Councils.

The petition appears to have been sent round the county for signature. It was numerous and extensively signed. It shews that there was a strong Anti-Laudian party in Worcestershire.

Townshend gives 835 names from 16 parishes. This shews a fair proportion of Puritans, or rather Anti-Laudians. But it must be borne in mind that "on our side" probably means not anything with regard to opinions, but from Townshend's part of the county, the Hundred of Halfshire, which was the one that was the least under clerical influence,

as it was the one in which the Church had the least property. The list is as follows :—

p. 478.

“The Parishes that subscribed to the Petition with the number of names on our side the shire beside all others.”

Ombersley	133 names.
Hartlebury	089
Northfield	055
Elmley Lovet	} 076
Rushock	
Doverdale	
Tardebigg	109
Belbroughton	119
Dodderhill	} 111
Elmbridge	
Upton Warren	
Chaddesley Corbett	} 097
Stone	
Pedmore	} 046
Hagley	
Churchill	

The petition did not satisfy the “zeal for the Lord.” The following letter and enclosure from the Speaker of the House of Commons was sent by the Sheriff Edward Vernon to Townshend, who has endorsed it :—

p. 479.

Rec. this the 6th of Feb. 1641.

A copy of this sent to the right Worshipful Henry Townsend, Esq^{re}.

Right Worshipful.

I have received a letter from M^r Speaker of the House of Commons directed thus, To the right Worshipful the High Sheriff and Justices of the peace of the County of Wigorn. inclosed in a letter from the knight of our shire directed thus, To the Right Honourable Edward Vernon, Esq^{re}, High Sheriff of the County of Wigorn. these Presents. The tenor of which letter from M^r Speaker is in these words.

Gentlemen

It is now some months since that the protestation taken by the Lords and house of Commons was sent down in the country with an expectation that it should be generally taken throughout the kingdom for a testimony of their good concurrence with the Parliament, But through the remissness of some of those that had the care of recommending it to others were many there be that have not hitherto taken it : Now the house of Commons having discovered many dangerous designs plotted against the Parliament, and especially that of the 4th of this instant January which had it taken effect would have stricken not only at the Privileges, but the very being of the Parliament, as will more appear by the declaration herewith sent unto you which the house desires you to publish throughout all parts of the County have thought fit once again to recommend the taking of this protestation, and have therefore commanded me in their name to desire you the high Sheriff and the Justices of the peace of that County to meet together in one place as soon as possible you may, And there to take the protestation yourselves, And then dispersing yourselves unto your several divisions that you will Call together the Minister, the Constables, the Churchwardens and Overseers of the poor of every parish and tender unto them the protestation to be taken in your presence. And to desire them that they

p. 480.

will very speedily call together the inhabitants of the several parishes both householders and others being of 18 years of age and upwards into one or more places according to the largeness of their parishes, and to tender unto them the said protestation to be taken in their presence, and to take the names of both those that do take and do refuse to take the same protestation and to return them unto yourselves at such time as you appoint which the house desires may be so speedily as you likewise may return such Certificates as you receive from them to the Knights and Burgesses serving for that County if the same County be within 60 miles of London before the 20th of February next, and if the same County be above 60 miles distant from London then before the 12th of March next. Wherein the house desires your greatest care and diligence in a matter very much importing the good both of the king and kingdom, which being all I have in Command I rest

Your very loving friend,

W^m Lenthall, Speaker.

26 January 1641.

And of that from the knights of our Shire in these.

Sir

This inclosed from Mr Speaker doth so clearly [? shew] the sense of the house of Commons that it would be a fault in us if we should make any additions to those directions more than earnestly to intreat your care in timely observing them. Thus with our due respect we end and rest

Your assured loving friends

Jo. Wilde, Humfrey Salwey.

p. 481.

The timely observing them according to the tenor of them I leave to your worship's care, which is earnestly as you see, And with my due respects rest

Your very loving friend to command

5 February, 1641.

Ed. Vernon, Sheriff.

A copy of my Lord of Falkland's letter for the high Sheriff of Wigorn Shire these.

Sir

I have received his Majesty's especial command to send to you fifty of the inclosed papers containing several messages of his Majesty to the Parliament to be by you dispersed and this done I remain

Your very real friend

to serve you

Feb. 1st.

Falkland.

It does not appear from the Diary that anything further was done at this time in the matter.

CHAPTER IV.

1642.

The documents in the early part of this year relate chiefly to raising money, in the later part to raising men. They are of considerable importance for Worcestershire history, as although similar documents have been published for other counties, so far some of these are the first for this county.

The Act 16 Car. I., c. 4, authorized the Commissioners named in it to raise four subsidies. As it was felt the whole of the required money could not be so raised, another Act, 16 Car. I., c. 9, gave further powers. The Commissioners under it were to fix the sum to be raised by each county. Worcestershire was to raise £5802 10s. 6*d.* and the city £356 4s. 9*d.* The first document gives the sums that each county had to raise, with an explanatory note why the charge was so great.

p. 203.

April 16th, 1642, Caroli R. 18. Whereas by an Act made for the raising of moneys for the necessary defence of the Realm, etc., the sum of four hundred thousand pound certain is imposed upon the Kingdom of England and Wales, The Act doth appportion every county his particular sum as followeth.

Counties.	£	s.	d.
Bedford	04372	01	0
Berks	05628	14	02
Bucks	06712	02	06
Cambridge	06199	11	01
Isle of Ely	02297	00	00
Chester	02841	18	09
Civit. et Count. Cestriæ	00326	15	00
Derby	02819	01	07
Devon	29035	12	03
Civit. et Count. Exon.	01049	04	03
Dorset	07708	02	03

H

Villa et County de Poole	00080	18	06
York	17380	05	06
Villa et Comit. de Kingston, Hull	00419	05	09
Essex	18048	09	09
Gloucester	09978	05	05
Civit. et Com. de Gloucester	01108	14	00
Hereford	07146	04	06
Hertford	07525	10	00
Huntington	03533	08	09
Kent	20281	15	07
Civit. et Com. de Canterbury	0818	14	09
Lancaster	4353	11	03
Leicester	3848	05	00

p. 204.

Lincoln	12951	15	10
Civit. et Com. de Lincoln	00532	01	09
London	42476	16	03
Middlesex	012354	12	09
Monmouth	01588	06	03
Northampton	04869	16	06
Nottingham	02913	14	03
Villa et Com. de Nottingham	00096	10	06
Norfolk	21908	06	1 ^a
Civit. et Com. Norwich	02544	04	06
Oxford	06418	04	09
Rutland	01053	14	03
Salop	04560	05	03
Stafford	03743	10	03
Civit. et Com. de Lichfield	00088	07	00
Somerset	16879	13	00
Civit. de Bristol	00127	04	06
Southampton	12464	11	09
Insula de Wight	01713	04	06
Suffolk	20609	17	03
Surrey	10808	01	03
Sussex	10914	15	09
Warwick	05113	16	03
Civit. et Com. de Coventry	00653	02	06
Worcester	05802	10	06
Civit. et Com. de Worcester	00356	04	09
Wilts	11704	19	00

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Comitates in Wallia.

Anglesey	0418	18	03
Brecknock	0850	13	09
Cardigan	1003	06	09
Carmarthen	0829	10	09
Carnarvon	0348	08	03
Denbigh	0447	06	09
Flint	0274	05	06
Glamorgan	1084	17	06
Merioneth	0259	18	03
Montgomery	1013	12	06
Pembrooke	0956	15	06
Radnor	0601	19	09
Villa et Com. de Haverford W.	0083	07	03

Comit. Boreales.

Cumberland	0633	18	00
Durham	1309	13	00
Westmorland	0547	01	04
Comit. de Newcastle	0245	14	00
Northumberland	0830	02	04

Mem. the reason of this tax to be so great was that the Parliament went according to the book of subsidies in all counties according as it was made in the 35th Elizabeth. And so some Counties raising themselves more than others in subsidies brought the greater burden on them, the ease now these counties do feel who had Commissioners that loved their country more than ambition.

The county's quota, £5802 10s. 6d., was to be apportioned among the different parishes. The next document shews how this was done: a warrant was sent to the Parish Constables ordering them to get a number of men not exceeding eight who should attend at the Town Hall, Bromsgrove, on the 2nd May at 8 a.m. to assess the sum that should be charged on Elmley Lovett and the proportion it should pay in. This warrant is signed by Henry Townshend and Philip Brace. Some instructions are given how it is to be raised and how to be paid.

p. 207.

May 2nd 1642. A warrant to the High Constable for to send to the petty Constables about the tax for the £400,000, etc., according to a late Act of Parliament.

Whereas we amongst others are assigned commissioners for the taxing and raising of £5802 10^s 6^d imposed upon this county of Worcester by an Act of Parliament lately made intituled "An Act for the raising and levying of monies for the necessary defence and great affairs of England and Ireland and for payment of debts, etc.," These are to will and require you upon receipt hereof to direct and send forth your general precepts to all Petty constables within the several divisions to summon two, three or more (so not above the number of eight)—according to the extent of each several parish or liberties) of good and substantial persons, and also to be nominated of and out of the several particular hamlets or townships that can most exactly and best know and understand the right and true values of their neighbour's estates to appear at Bromsgrove upon Wednesday being the eleventh day of May next ensuing by eight of the clock in the morning at the Townhall there before us to be assessors for such sums of money as shall be imposed upon each parish according to an equal distribution as near as may be. And to receive such further directions therein as we are commanded to deliver for the better effecting of a business of so great an importance. And hercof they nor any of them fail being summoned by the petty Constables or their deputies of their attendance upon pain of every of them making default the sum of five pounds. And therecof fail you not at your perils and to be also there ready to give an account of the performance of the service. Dated at Elmley Lovet this second day of May 1642.

H. Townshend.
Philip Brace.

p. 208.

Mem. according to usual taxes Bromsgrove division pays 3 parts and Kidderminster division 2 parts in all sums to be divided in 5 parts and 2^d in the pound more through out the county.

So this tax of £1160 10^s 9^d

Bromsgrove was to pay	.	.	.	£696	6	0
Kidderminster	.	.	.	£464	4	0

Now finding there hath been much inequality in former taxes we the Commissioners have thought fit to raise the division of Bromsgrove about a 13th part more for the more equality than the division of Kidderminster.

So that in this tax the division of

Bromsgrove pays the sum of . . .	}	£758 10 ^s 0 ^d
which is £62 4 ^s over above they did before.		
Kidderminster pays the sum . . .	}	£382 0 ^s 0 ^d
Beside my Lord of Shrewsbury for his manor of Grafton being a particular and privilege place of account . . .		£020 00 0
Since upon review is overrated a moiety		

1160 10 0

Bromsgrove division is worth per annum £26770 00 0
with Grafton Manor

Kidderminster division £14050. . . £14050 00 0

£40820

Bromsgrove is better than the division
of Kidderminster by per annum . £12720 00 00

This is followed by an order on the assessors how to act.

p. 209.

Wigorn. The forme of warrant for the assessor for the tax.

To A., B., C., D., E., F., assessors for the parish of E.

Whereas there is a tax of £5802 10 6 laid upon the county of Worcester by one late Act of Parliament the one moiety whereof is to be assessed and levied and paid before the 20th day of July next, There hath been a meeting amongst the Commissioners for the said charge, and an assessment agreed upon, what proportion every hundred equally ought to pay, which being subdivided according to the extent and goodness of every parish, your said parish is particularly assessed in the sum of . . . , These are therefore forthwith to require you and every of you to make a particular assessment for the raising of the said sum of . . . wherein care must be had that every person that hath £iij in goods or that hath lands to the value of xx^s or to whom the rent of lands of that value belongeth, ought and is liable to be solely assessed be [? he] either ecclesiastical person or temporal of what quality or degree soever (and also the ecclesiastical persons are to pay for their tithes and the impropiators of tithes according to proportion) to this charge, so the said rents be near or to the value of the worth of the said lands per annum, otherwise to apportion the same between the tenant and him to whom the rent belongeth. And you are to assess none but for his lands and goods being in the place, not

respecting of any other estate he hath elsewhere for he is to pay severally in all places for his several estates. And that you bring in the particular assessments and certificates under your hands, with the

p. 210.

names and surnames and charge upon each particular person fairly written over twice, that we may make choice of either certificate leaving you the other with warrants to collect the same, at Bromsgrove at the toun hall there upon the first day of June next being Monday upon pain of you or any of you making default or neglecting to bring in the certificates £5. Dated at Bromsgrove this eleventh day of May 1642.

Henry Townshend.

Philip Brace.

Roger Lowe.

Mem. Upon the meeting of the Gentlemen commissioners at Worcester upon the 28th of April 1642 we agreed to divide the county into 3 parts. And then subdivide it amongst ourselves within each liberties according to the extent and goodness of each parish.

The Hundreds of

Oswaldslow 3 parts

Halfshire and Doddingtree . . . 3 parts*

Pershore and Blackenhurst . . . 3 parts.

In this division Halfshire bears a fifth part of the county and Doddingtree an 8th which is £725 8^s 3^d and so they do in all other payments with 2^d the pound over which was now abated in Halfshire.

A list is then given as to how the apportioned sum is to be borne by the different parishes.

p. 211.

Wigorn. SS. 11th May 1642, 17th Caroli Regis.

The assessment of the hundred of Halfshire for the collection of £1160 10^s 1^d being the 5th part upon the whole county of Worcester taxed of £5802 10^s 6^d being the part of the £400,000 laid upon the Realm of England and Wales, the moiety whereof is assessed upon each parish or Tounship as followeth :

Bromsgrove Division and yearly valuc.

£	s.	d.		£	s.	d.
5000	00	00	Bromsgrove	120	00	00
5000	00	00	Kingsnorton	120	00	00

* £1160 10s. 1d. is written opposite these hundreds, but struck through.

3000	Feckenham . . . . .	. 100 00 00
4000	Droitwich . . . . .	. 100 00 00
3000	Redditch, Tardebigge and Bentley . . . . .	. 100 00 00
1500	Wychbold and Dodderhill . . . . .	. 038 00 00
0700	Elmbridge . . . . .	. 019 00 00
1500	Northfield . . . . .	. 040 00 00
400	Cofton Hacket . . . . .	. 010 00 00
1400	Salwarpe . . . . .	. 025 00 00
11000	Upton Warren and Cooksay . . . . .	. 020 00 00
1100	Hampton and Westwood . . . . .	. 030 00 00
0350	Doverdale . . . . .	. 007 10 00
0400	Hadsor . . . . .	. 008 00 00
0400	Kington . . . . .	. 008 00 00
0120	Church lench 003 00 00
0400	Part of Crowle 010 00 00
0700	Grafton E. of Shr. 20 00 00
		<hr/>
		778 10 00

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£ s. d.

Bromsgrove division with my Earl of Shrewsbury for

Grafton Manor per annum 26,770 00 00

Kidderminster division 14,050 00 00

So Bromsgrove is better than Kidderminster division

per annum 12,720 00 00

rest of page blank.

p. 213.

Kidderminster division.

£		£	s.	d.
4000	Kidderminster Borough . . . . .	. 060	00	00
	Kidderminster Foreign . . . . .	. 070	00	00
1800	Chaddesley Corbett . . . . .	. 040	00	00
1800	Belbroughton . . . . .	. 040	00	00
1300	Old swinford and Stourbridge . . . . .	. 036	00	00
0700	Stone and Dunelent . . . . .	. 015	00	00
0200	Overmitton . . . . .	. 005	00	00
0950	Elmley Lovet . . . . .	. 020	00	00
0800	Dudley . . . . .	. 020	00	00
600	{ Cradley . . . . .	. 007	00	00
	{ Worley . . . . .	. 007	00	00
	{ Ludley . . . . .	. 004	00	00

1500	{ Frankley	014	00	00
	{ Hagley	016	00	00
0400	Pedmore	008	00	00
0150	Churchill	003	00	00
0200	Kingford	004	00	00
0500	Rushock	014	00	00
	(Erasures)			
1488		383	00	00
6065*				

The form of the collector's bond and the warrant to make them pay in are then given.

p. 214.

Mem. the form of the Collector's bond as it was made for Robert Kymberley for the subsidies.

rest of page blank.

p. 215.

Wigorn. SS. The form of the warrant to the sub-collectors for the payment in of their tax towards the £400,000 laid upon the parish.

To the Constable of the parish of Elmley Lovet and to John Best, Humph. Thatcher, Thomas Cammell and John Barnard, sub-collectors. And to every of them.

Whereas there is lately granted by Act of Parliament to such uses as is therein expressed the sum of £400,000 imposed upon this kingdom of which sum the county of Worcester is charged with the payment of £5802 10^s 6^d, the one moiety whereof is and ought to be paid forthwith, whereof by an equal division and proportion agreed upon by us the Commissioners your said parish is assessed, rated and taxed at sum of ten pounds, and forasmuch as we have received a particular assessment from the assessors what every person within the parish is assessed and taxed to the payment of the said sum, these shall be to require you and every of you that speedily and diligently you do levy, collect and gather by way of distress (if need require) the particular sum or sums of money upon every of the persons whose names are in the schedules hereunto specified for the raising of the said sum. And that you do make payment thereof to Anthony Cole of the parish of Bromsgrove, gent., High Collector for the Hundred of Halfshire, at or upon the day of July next at Bromsgrove aforesaid at the house of by nine of the clock in the morning (except one penny in the pound for the

* Both these figures are struck out.

particular collection to be allowed excepted and abated). And hereof fail you not as you will avoid the danger of distresses to be taken of your goods by the High Collector for your negligence therein. Dated at Elmley Lovet this day of July 1642.

Commissioners Hen. Townshend, Philip Brace, Roger Lowe.

Having got the sum each parish is to contribute, steps were then taken to fix the sum each individual would have to pay, and this was done by the next document.

p. 219.

June 26th 1642.

Wigorn. An assessment for the tax money being the sum of Ten pounds imposed upon the parish of Elmley Lovet being moiety of £xx assessed for the whole as near as the estates by the pound of every man's land will bear.

Yearly value and yard lands.

o y^d land at £ [erased]* Hen. Townshend, Esq^{re} . . . 2 00 00
per annum

Cuttenhall Green.

o3 yard at £69 o o	{ Mr ^s Cecily Brace, widow 00 09 02
	{ John Rendon 00 03 04
o3 y. at £50	Mr John Lench 00 10 00
o1 Nook at	Mr Nathaniel Tomkin's Close . 00 00 10
2 y. and 1 n. at £5	Mr John Bourn 00 10 00
per annum	

Upton Township.

3 y ^d of freehold 2	Mr Tho. Tyrer 01 00 00
of his wife Q.B.	Mr Ed ^d Best, Rector de Elmley . 00 13 04
and 1 of W. Feild	and 1 y ^d land in Walton
at £10 per	
annum	
1 y ^d at £8	Thomas Insoll 00 03 04
1 y ^d and 1 n. £20	John Barnard 00 03 06
1 y ^d £10	John Stower 00 03 04
1 y ^d £10	Charles Bacon 00 02 08
and y ^d 07	Francis Gittms 00 01 04
2	William Feild, cottage 00 00 06

* Both the number of yard lands and the annual values are erased.

Bellington.

y ^d at £10	Fortune Manning, wid.	.	.	.	00	01	08
1 N. at £04	Thomas Ballard	.	.	.	00	00	10

Insoll.

1 y ^d at £40	Thomas Scott <i>alias</i> Williams	.	.	.	00	04	00
1 y ^d of freehold and $\frac{1}{2}$ y ^d	John Smith de Togood	.	.	.	00	05	00
Lease at £16 0 0	Thomas Moule.	.	.	.	00	06	08
1 ^d y ^d and $\frac{1}{2}$ of Leasehold and $\frac{1}{2}$ y ^d of freehold at £40 0 0	William Maet <i>alias</i> Segar, cottage	.	.	.	00	00	10
					07	00	04

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Walton.

1 y ^d [erased]	John Typper	00	02	02
1 y ^d	Lewis Palmer	00	02	8
1 y ^d 20 0 0	John Best, sen.	00	03	04
$\frac{1}{2}$ y ^d	Anthony Best	.	.	.	.	00	01	08
$\frac{1}{2}$ y ^d	John Best, jun ^r	.	.	.	.	00	01	08
1 y ^d 09	Elizabeth Ints et	.	.	.	.	00	02	06
	John her son	.	.	.	.
2 y ^d 10 00 00	Joan Best, churchland	.	.	.	.	00	02	08
	whereof £10 rent to the church							
1 n. 01 00 00	John Hanbury	.	.	.	.	00	00	10

Sneedsgreen.

1 y ^d & $\frac{1}{2}$ 10 00 00	John Acton, gent.	.	.	.	.	00	04	06
$\frac{1}{2}$ y ^d 10 00 00	Anthony Acton, gent.	.	.	.	.	00	02	06
$\frac{1}{2}$ y ^d 07 00 00	Rich. Wollaston, clerk	.	.	.	.	00	03	04
1 y ^d 10 00 00	Edmund Smith and Joan	.	.	.	.	00	03	04
	Barnsley his mother	.	.	.	.
1 y ^d & $\frac{1}{2}$	Charles Harwood	.	.	.	.	00	04	06
1 y ^d & $\frac{1}{2}$	Edmund Ryall and 1 Cottage	.	.	.	.	00	05	10
3 n. 20 00 00	Thomas Cammell	.	.	.	.	00	03	04

2 y ^d 04 00 00	John Pooler	00 00 10
$\frac{1}{2}$ y ^d 10 00 00	Humphrey Thatcher	00 02 06
1 n. 0 00 00	Thomas Burnell	00 00 10
1 n. 4	Thomas Gardner	00 00 10
		<hr/>
		02 09 06

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1 n. 0 0 0	Thomas Burlton	00 00 10
	Cottage	
02 00 00	Francis Webley	00 00 10
03 00 00	Walter Perks	00 00 10
02 00 00	Henry Audley	00 00 06
	Francis Thatcher	00 02 00
	Hugh Hayle	00 00 10
	Francis Hanbury	00 10 10
	Thomas Danks	00 01 00
	William Hunt	00 00 10
	Philip Best	00 00 06
Rec[usant]	Humphrey Cooke	00 01 6
		<hr/>
		00 10 6

Recusants	Alice Cooke	00 01 04
	Elizabeth Cooke	00 01 04
		<hr/>

£ s. d.

So the parish to pay	10	00	00
Surplusage pro recusants	00	04	02

Then comes the form of Bond the collector of the tax imposed on the county has to give.

p. 223.

Noverint universi per presentes me Antonio Cole de Bromsgrove in comitate Wigorn., gen., teneri et firmiter obligari serenissimo domino nostro Carolo regi in mille centum et sexaginta libris bone et legalis monete Angle solvendum eidem serenissimo domino regi heredibus et successoribus suis. Ad quam quidam solucionem bone et fideliter faciendum obligo me heredes executores et administratores firmiter pro

presentes sigillo meo sigillatum. Datum quinto die Septembris anno domini 1642 Anno R. regis domini nostri Caroli dei gratia Angliæ Scotiæ Franciæ et Hiberniæ fidei defensoris decimo octavo.

The condition of this obligation is such that whereas the above bounden Anthony Cole is nominated and appointed chief collector for that part of tax money which is laid upon the hundred of Halfshire within the county of Worcester, which is the sum of five hundred and four score pounds five shillings and the sum of thirty pounds for surplusage money laid upon the recusants according to equal distribution of five thousands eight hundred two pounds ten shillings six pence

p. 224.

laid upon this county by virtue of the late Act of Parliament if therefore the said Anthony Cole, his heirs, executors, administrators or assigns shall and do well and truly content, satisfy and pay to such persons in such places at such times as is appointed by the said Act of Parliament all the aforesaid sum or sums of five hundred four score pounds five shillings and the sum of thirty pounds for surplusage money, that then this present recognizance and obligation to be void and of none effect or else to stand in full force effect and virtue.

Anthony Cole.

The warrant from the justices requiring the collector to levy follows :—

p. 225.

Wigorn. SS. To Anthony Cole of Bromsgrove in the County of Worcester, gent., high collector of the hundred of Halfshire within the said county for the first moiety of the tax of one thousand one hundred and three score pounds ten shillings and sixpence laid upon the said hundred.

These shall be to require you and in the King's Majesty's name straitly to charge and command you that speedily and diligently you do levy and gather by way of distress if need so require to such uses as the Parliament hath declared the particular sum of money rated and taxed upon every township, parish or person hercunder written within your hundred of Halfshire which are taxed and assessed towards the payment of five hundred four score pounds five shillings, which sum is according to an equal proportion layed upon this hundred towards the payment of the first moiety of five thousands eight hundred and two pounds ten

p. 226.

shillings and six pence laid upon this county. And that you do not only make payment thereof unto such treasurers as are appointed by the Act of Parliament at such days and times as are limited by the said Act. But also yield your account for the same accordingly as your certificate also with this annexed doth further declare. As for the contrary you will answer at your peril. Written and sealed by us his Majesty's Commissioners whose names are subscribed this fourth day of August in the eighteenth year of our Sovereign Lord King Charles Anno Domini 1642.

Hen. Townshend.

Philip Brace.

Ed. Barrett.

Then follows a notification to the Treasurer, the Lord Mayor of London, that Anthony Cole of Bromsgrove has been appointed the collector.

p. 227.

Wigorn. SS. To this right worshipful Sir Richard Gurney,
Mayor of London. . . .

and the rest of the treasurers appointed for the tax money by an late Act of Parliament for the £400,000.

Whereas we amongst others are assigned Commissioners for the taxing and raising of five thousand eight hundred and two pounds ten shillings and six pence imposed upon the county of Worcester by one late Act of Parliament intituled An Act for the raising and levying of monies for the necessary defence and great affairs of England and Ireland and for payment of debts, etc. These are to certify you that we having, by virtue of the said Act, assembled and met together have appointed and assessed the hundred of the Halfshire within this county to eleven hundred and three score pounds ten shillings the one moiety whereof which is five hundred and four score pounds five shillings is now to be assessed, raised, taxed and levied, for the receipt of which sum we have nominated and appointed Anthony Cole of the parish of Bromsgrove, gent., high collector who hath entered into recognizance of one

p. 228.

thousand one hundred and three score pounds to his Majesty's use to faithfully and truly to pay and discharge the aforesaid sum of five

thousand eight hundred pounds and five shillings to you or some of you, who are appointed treasurers for the same at such times and places as the Act appoints. He also standeth charged for surplusage of money due from recusants over and above their tax the sum of £30 00 00 in witness whereof we commissioners for the hundred of the Halfshire have hereunto this certificate put our hands and seals interchangeably this fourth day of August 1642.

This concludes the financial documents for the year. The remaining papers refer to military matters and preparations.

On the 28th January 1642 the question as to who was to have the right to the control of the military forces of the country directly arose on a petition of the Commons to the King asking him to hand over to them the Tower of London, the principal forts of the kingdom, and the whole of the militia. This the King refused; disputes went on until the outbreak of the war in September. On the 5th March 1642 the Parliament appointed Lieutenants of certain counties in England and Wales, of which Worcestershire was not one—they had proposed Lord Howard of Escrig—and ordered them to muster, arm and train such persons as might be necessary to keep the peace. Against this the King protested, and messages and counter-messages were continuous. On the 27th May 1642 the King issued a proclamation forbidding any of his subjects to obey the Parliament in arming or mustering, and stating he proposed to raise men in the way that it had always been done by issuing a commission of array to certain persons he selected in each county, ordering them to muster, array, and arm men for his service.

A commission of array was accordingly issued for Worcestershire. Townshend gives the heading of the commission—

p. 240.

Wigorn. 1642, 23rd July. A Copy of the Commission of Array for the County of Worcester.

but the copy has not been included in the MS.

Probably it was in the common form. But what is more important, the King's instructions are given in full ; they are—

p. 241.

A Copy. The King's instructions for the Commission of Array within the County of Worcester.

Charles R.

Right trusty and right well beloved, and trusty and well beloved, we greet you well. Whereas we have lately by our Commission of Array trusted you with your service for our County of Worcester and are informed that some persons have presumed in contempt of us and our authority to despise and vilify our said Commission and to menace and threaten our Commissioners, We do hereby require you according to your duties speedily to publish our said Commissions so necessary at this time for the peace and safety of our good subjects, and to proceed in the full execution thereof with all possible industry and alacrity. And if the High Sheriff shall be absent, or neglect to perform his duty being present, that you proceed in the service, and if you find any persons so malicious as not to yield obedience to our said authority, that you proceed against them by imprisonment or otherwise according to the direction and power of the said Commission, of the legality whereof we being so well assured notwithstanding any abets to the contrary, we think that rule the best for you to proceed by and shall protect you therein, and all such who shall dutifully submit to our authority with our through power, and with the hazard of our life. And that you remove all such persons from any command over any part of the militia whom you find unfit for the service, especially those who have executed the pretended ordinance* so expressly against our consent, and the known law of the land. Against whom we shall shortly proceed in an exemplary way for such their transcendent presumption. Except you find them sensible of their former error and desirous to obey our commands. And our pleasure is that our trusty and well beloved Samuel

p. 242.

Sandys, Esq^{re}, of whose affection to our service and to the public peace of the kingdom we are well assured, shall command the Horse of this our county And because notwithstanding the large power in our commission to array such of our good subjects as shall be fit for the service, we well know you will out of due regard to our people only summon such, except extraordinary occasion happen, who have been usually or are of our trained bands, yet we think fit in this time of so public distraction

* "of the militia"—a pen is drawn through these words.

that you receive without summons all such who shall voluntarily offer themselves to train and muster. And that you in our name signify our very good acceptance of that expression of their affections, and use them with that regard as such forwardness and zeal to ours and the publick service deserves. And we do further require you our said Commissioners, or so many of you as are Justices of the Peace within that our said County that you make inquiry after such seditious preachers, and other persons of what degree soever, who endeavour by their sermons, counsels, and discourses to lessen and deprave our just legal authority, and to incense our good subjects against us, and that you proceed against them as stirrers of sedition and promoters of rebellion against us, especially against those who shall presume to execute that pretended ordinance, which at this time we interpret to be no other than levying war against us, And that you give all encouragement and assistance to those whose zeal and affection is eminent to our service, and we do hereby authorize you and every of you our said commissioners to receive such subscriptions as any of our loving subjects of the county shall be willing to make for the assistance of us by men, horses, or otherwise, in

p. 243.

this great distraction of the commonwealth, and to receive such money as any of our good subjects of the said county shall be willing to lend us upon these our urgent occasions for the defence of our person and for the religion and laws of the kingdom, and any acknowledgment given under any two of your hands of the receipt of such monies shall be an engagement upon us to repay the same with interest after the rate of £8 per cent., which we shall punctually perform, and shall moreover acknowledge it as a most seasonable testimony of their affection and loyalty unto us, which we shall never forget. Lastly our will and pleasure is that you take into your custody the arms of all recusants within your county, and so the same safely keep. Given at our Court at Doncaster the 21st of June 1642 in the 18th yeare of our reign.

To our right trusty and right well beloved and to our trusty and well beloved our Commissioners of Array for our County of Worcester.

The issue of this commission and these instructions caused the question of the action to be taken on them to be brought up at the Worcestershire Midsummer Quarter Sessions, 13 July 1642, when the following petition was resolved upon. This was due mostly to the opposition of Sergeant Wylde, one of the county members.

p. 235.

To the right Worshipful, etc.

The Petition of the Grand Jury at the Sessions July 13th 1642
Sheweth

That with all thankfulness and from the bottom of our hearts we acknowledge that exceeding great favour the Parliament hath been pleased to shew unto us in declaring the illegality of the Commission of Array intended at this present to be executed amongst us, and we do most humbly beseech these to whom the ordinance of the Militia of this county is intrusted that they would be pleased speedily to put the same in execution, That so his Majesty's royal person, the Parliament and kingdom may be secured which as we are now fully persuaded are in great danger, by reason of the plots of the malignant party, and persons ill affected to the King and state, etc.

There is a note in another hand.

Memdm. This petition was disavowed by a declaration of the High Sheriff,* Lord Coventry, Baronets, Knights, gentlemen, freeholders of the County at the Grand Assizes held 3rd August following, and that this petition was framed by some ill affected persons to the peace of the county.

p. 236.

Wigorn. SS. Nom. Jur. ad inquirendum. Not sworn.

Paulus Rumney.	This family is now in existence. 1828.†
Thomas Turbeville.	Do.
Thomas Moore.	Do.
Richardus Yarnold.	Do.
John Best.	Do.
Richardus Cosonett.	
Richardus Saunders.	Do.
John George.	Do.
John Palmer.	Do.
Thomas Taylor.	
John Poolehouse.	
John Spooner.	Do.
Christopher Gillam.	Do.
Simon Cowley.	
Richard Cotterell.	Do.
John Marshall.	
William Styles.	

Mem. to this petition there was not one gent. of the Jury.

* The Sheriff was Edward Vernon.

† In a modern hand.

The Commissioners do not appear to have attached much importance to the petition of the Grand Jury, as they at once issued their warrant to muster the county.

p. 237.

Wigorn. SS. The copy of the Commissioners of Array warrant to the High Constable for to send to the petty constables throughout the county of Worcester.

We his Majesty's Commissioners of Array for the County of Worcester whose names are subscribed send greeting.

Whereas the King's Majesty by his Commission under the great seal of England bearing date at Beverley the 23rd day of July last past in the eighteenth year of his Majesty's reign have authorized us amongst others in the said commission named to array, train and muster the inhabitants of this county in these times of distraction according to the tenor of the said commission and instructions sent to us from his Majesty under his hand. These are therefore to will and require you forthwith upon receipt hereof you issue forth your warrant to all the petty constables within your limits and division thereby requiring them to give warning to all the trained and freehold and clergy bands within their constablewick both horse and foot that are charged with armes

p. 238.

to come and appear before us or any three or more of us upon the twelfth day of August next being Friday in the morning by nine of the clock, at and in the great meadow called Pitchcroft near the City of Worcester completely armed and arrayed, And you are to take notice yourself and give warning to the petty Constables that neither you nor they nor any of the said trained band horse or foot fail of their appearance upon pain of such penalties as shall fall thereon.

And further we do require you and every of you to signify unto all such as are well affected to this service that so many as will voluntarily come in at the day and place appointed with their armes or otherwise shall be well received and perform an acceptable service to their king and country. Dated at Talbot in Sidbury, the first day of August in the 18th year of the reign of our Sovereign Lord Charles by the grace of God King of England Scotland France and Ireland Defender of the Faith etc.

p. 239. 13 signatures are obliterated.

Not content with this, the Commissioners wrote to their friends to find horses.

p. 244.

A copy of letters sent to gentlemen to bring in their horses to the Commissioners of Array.

Sir,

Whereas we whose names are subscribed have received his Majesty's Commission of Array for this County of Worcester forthwith to be put in execution, By virtue whereof we are to give you summons and notice that you upon Friday next in the morning by ten of the clock being the twelfth day of this month you bring in such horse or horses, arms and array to the great meadow called Pitchcroft near the City of Worcester, that you have been heretofore charged withal, or stand at this present charged, that there may be a full and exact review thereof taken, and, if occasion be, to be trained and exercised, which service we doubt not of your ready performance as you will express your loyalty to the preservation of the King's person and safety of your country. So, we rest, your loving friends.

There are twelve signatures to this letter, but they have been very carefully obliterated.

A copy of a letter sent by the Commissioners to the Secretary of State detailing the proceedings of the Royalist gentry comes next.

p. 245.

A copy of the Commissioners' letter to M^r Secretary to certify the King how far they have proceeded.

My lord,

Having made an entry of our duty and good affection to his Majesty's service, we think fit to pursue our cheerfulness in the dispatch of this gentleman, who brings your lordship the original subscription with this humble and urgent request, that it may be presented to our Sovereign lord the King, as the first fruits in this kind of our obedience and love to his Majesty's sacred person and commands, hoping in convenient time to give the active expressions of our declarations by putting the Commission of Array in execution within few days, and by acting of all other services that may conduce to his Majesty's safety and his kingdom's.

Your lordship's most humble servants,

12 signatures obliterated.

The Assizes were held on the 3rd August, and the grand jury made a presentment similar to that at Quarter Sessions.

p. 247.

A copy of the Declaration and protestation agreed upon by the Grand Jury at the Assizes for the County of Worcester the 3rd day of August 1642, and assented unto by the High Sheriff, the Lord Coventry, the Baronets, Knights, Justices of the peace, Gentlemen, and freeholders of the County of Worcester.

We do with all thankfulness acknowledge ourselves very sensible of those sundry good laws which through his Majesty's great grace and goodness have been obtained for us this parliament, And we do ourselves rejoice in his Majesty's pious and tender care repeated by his gracious declarations in print, and expressions by letter read unto us, and all the county at this Assize in open court to defend and maintain the true Protestant religion by law established against popish recusants, anabaptists, and all other separatists, And if his Majesty will preserve the freedom and just privileges of parliament with all which promises and expressions we are so abundantly satisfied, that we do not any way distrust his Majesty's constancy in these Resolutions, and we do declare that we will be ready to attend his Majesty in all lawful ways for the putting of the county in a posture of arms for the defence of his Majesty and the peace of his kingdoms. Therefore we resolve according to our oath of supremacy, allegiance, and the late protestation to adventure our lives and fortunes in defence of his Majesty's

p. 248.

Royal person and honour and the just rights and privileges of Parliament, and the known laws of the land and liberties of the subjects, that thereby the distractions and disturbances of his Majesty's kingdom may be reduced to his Majesty's legal government, And whereas the Grand Jury at the last sessions delivered a petition thereby desiring the supervising of the Militia, we utterly disavow it as not agreeable to the intents or desires of us or any considerable number of the County, and we do hereby declare that by the information which we have received from several of the persons then of the Grand Jury that it was not of their own framing but contrived and prepared for them by some persons not well affected to the peace and quiet of this county.

66 signatures obliterated.

The Grand Jury had some evidence before them as to what the Royalists were doing, as the next document shews.

p. 254.

This is a copy taken out of Sir W. Russell's notes at the Assizes held at Worcester 5th August 1642. Shewed the Grand Jury.

A note of the Magazine powder, match and lead heretofore provided for this County, and how it is now placed. The gross sums. 44 Barrells of powder, 1 tun and a half of lead and 2276 lbs. of match, beside the magazine of the city of Worcester.

At Evesham	powder .	12 barrels, match 600 weight.
At Droitwich	powder .	6 barrels, match 300 weight.
At Bewdley	powder .	6 barrels, match 300 weight.
At Kidderminster	powder .	6 barrels, match 300 weight.
At Bromsgrove	powder .	10 barrels, match 776 weight.

Of lead remaining in the places aforesaid 1 ton and a half.

Sir Walter Devereux	powder .	1 barrel and 50 lbs. of match.
Sir Tho. Russell	powder .	1 barrel and 50 lbs. of match.
Sir John Rouse	powder .	1 barrel and 50 lbs. of match.
Giles Savage, Esq ^{re}	powder .	1 barrel and 50 lbs. of match.
The City of Worcester	powder .	5 barrels and 112 lbs. of match and 500 of lead.

p. 253.

1642. The Captains' names and places where they shall train their companies before the Commissioners and their names, the 22nd of August.

Captain John Clent's company, being at Bewdley the 22 nd of August before	foot, to be exercised 3 names obliterated.
Captain Philip Brace's company, being at Worcester before	foot, to be exercised 6 names obliterated.
Captain John Speite's company, being at Pershore before	foot, to be exercised 5 names obliterated.
Captain Scudamore Pitt's company, being at Droitwich before	foot, to be exercised 4 names obliterated.

p. 254.

Captain Richard Pitt's company for the Clergy, being foot, to be exercised at Worcester before the aforesaid Commissioners that are at Worcester.

The Commissioners were not content with collecting men and materials. They issued warrants to search houses of suspected Parliamentarians and to seize unnecessary arms.

p. 255.

A copy of a warrant for search in suspected houses for unnecessary arms.

To E. S. and F. S., gent., High Constable of the Hundred of H. in the County of W. and to every of them.

Whereas we whose names are subscribed being his Majesty's Commissioners of Array for the County of Worcester have had intelligence that one T. I. of D. in the County of W. hath in his house aforesaid divers arms for the arraying of men, we not knowing for what ends the same arms are provided, and having a care to preserve the peace of the King's Majesty and of the country in these times of distraction, These are (for the preventing of danger) to will and require you forthwith to see what arms are in the house of T. I., and if you or either of you shall find more arms to be in his custody than are fitting for a man of his rank and quality, that then you make stay of the same arms and to retain them with you, and to certify us or any three of us of your doing herein to the end that such further order may be taken herein as we shall think fit. Dated at W. the day of A. 1642.

R. B. (*and 12 pairs of initials obliterated*).

The Commissioners also induced the Royalist gentry to enter into an undertaking to find horses.

p. 257.

A copy of the declaration of the Gentry of the County of Worcester that subscribe for Horse.

Whereas there is an apparent necessity of putting the kingdom into a posture of war for the suppressing of insurrections within, and opposing of invasions from abroad, we whose names are underwritten have thought fit to undertake to maintain and have in readiness such number of Horse furnished fit for war as we do here subscribe to for the maintenance and defence of his Majesty's Royal person and just prerogative, the Protestant Religion as it is now established, the laws of the realm, the just privileges of Parliament and the public peace against all opposition whatsoever, and the same horse to be disposed of within the county for three months after the xiiith of this instant August 1642. Worcester.

Horse.				Horse.			
Tho. Coventry	.	.	10	Rowl. Berkeley	.	.	4
T. Littleton	.	.	6	Sam. Sandys	.	.	4
Jo. Packington	.	.	6	John Washbourn	.	.	2
Edw. Sebright	.	.	6	John Nanfan	.	.	2

	Horse.		Horse.
Wil. Russell . . .	6	Joseph Walsh . . .	2
Tho. Rouse . . .	2	John Keyte, jun ^r . . .	4
Math. Carne . . .	3	Tho. Savage . . .	4
Hen. Herbert . . .	4	Martin Sandys . . .	2
		Ed. Vernon . . .	1
		Hen. Townshend . . .	1
<i>p.</i> 258.			
Rich. Vaughan* . . .			
Edward Savage . . .	2		
Edw. Broad . . .	1		
Tho. Child . . .	4		
Rob. Steyner . . .	1		
Edw. Rouse . . .	1		
William Langston . . .	1		
Hen. Norwood . . .	1		
Willm. Mucklow . . .	1		
Rich. Foley . . .	1		
Hen. Ingram . . .	1	<i>In a modern hand.</i>	
Willm. Walsh . . .	1		
George Cole . . .	1	This account shews the	
Ja. Littleton . . .	1	number furnished by each	
Tho. Chetle . . .	1	gentleman.	
Jo. Dickins . . .	1		
J. Atwood . . .	1		
John Rouse . . .	1		
Edw. Bushell . . .	1		
Fr. Sheldon . . .	1		
Fr. Finch . . .	1		
Edm. Fortescue . . .	1		
Roger Cook . . .	1		

Meanwhile the Royalists continued making their preparations.
The following gives the result of a Council at Worcester :—

p. 259. Aug. 17th at Worcester.

Propositions.

1. No answer to be returned of the letters until Wednesday next.
2. Two propositions to be made to the Trained bands by the several Commissioners upon Monday next whereof the—
 1. That every trained soldier should bring a fresh soldier for supply in his room for neighbouring service.

* This name is struck out.

2. That such persons as will voluntarily offer their service to the king, shall presently be enrolled and receive such pay as the rest of the soldiers in the King's army.

Propositions. (*Words obliterated.*)

1. What pay the officers and soldiers shall have per diem.
2. When they shall enter into pay?
3. What place they shall have for their rendezvous.
4. Who shall be the commissary.
5. What arms they can be furnished with? and where?

That the Lords and gentlemen of this County desire to be excused in sending of these propositions in this nature. In regard of the great business now upon our hands and that within few days they shall have answer to their letter. In the mean erave an answer to the propositions.

Warwickshire wrote to know what Worcestershire was doing, sending the following letter :—

p. 250.

A copy of a letter from the Commissioners of Array within the County of Warwick.

To our very loving friends the lords and others Commissioners of Array for the County of Worcester, or any of them.

My lords and gentlemen,

Being desirous to give you a speedy aecount of our proceedings at Banbury and Warwick, and that the relation thereof particularly would require more time than at this present may well be spared; We have entreated this Gentleman the bearer hereof to impart the same unto you, who can at large and exactly perform it. And having heard of your late worthy Resolutions for the defence of his Majesty's person, the true Protestant religion, the known laws of the land and the just privileges of Parliament, wherein we are most ready to join with you, we can do [no] less than acquaint you, that there are certain forces already upon the march from London towards these parts in opposition to his Majesty, his Royal authority and disturbance of the peace of this kingdom, whereby we are all in danger to be embroiled in a civil war, if timely prevention be not had, And do therefore desire that for the mutual strength of us all and speedy resistance of such power, you will join with us in that correspondence as is requisite in this case, and to that purpose forthwith to raise and have in readiness all your forces as well trained bands as other to the end we may receive such speedy and necessary supply, as upon so great an

p. 251.

exigency shall be requisite which we doubt not, but with God's blessing will much redound to our common safety and the peace of this kingdom, And so in great haste we rest

Your very loving friends,

Warwick,

(9 signatures obliterated.)

11th August 1642.

Postscript.—Since the writing hereof we have had certain intelligence by letters from York that the King will be speedily here in person with considerable forces by the end of this week expecting the assistance of the adjacent counties which assures him and is of a prosperous success.

To this Worcestershire sent the following reply :—

A copy of the answer from the Commissioners of Array of Worcestershire to the Gentlemen in Warwickshire.

My lords and gentlemen,

Your letters of the eleventh from Warwick were delivered us the 12th of this month at night by the gentleman intrusted with it, who satisfied the report and our expectation in a particular and exact relation of your proceedings.

This day the Commission of Array for this County was put in execution, the fault that was committed is recovered in part, and the country vindicated from mistake and prejudice. The appearance of the Gentry and Commons was very great and the acclamation very high for his Majesty's service, not a dissenting voice, but one and all like good subjects for the King's safety and honour.

p. 252.

By this new birth the nobility, gentry and Commons of this county have given full evidence to their neighbours that they are likely to make good the declaration published at the last Assizes and hope (the county being delivered of its fears and jealousies) to give such real and active testimonies of their good affections to your security as may increase the friendship and tie the knot faster for the public peace of this kingdom, and the mutual peace of our friends, wherein our peace is concluded, knowing very well the danger knocks at our doors, that the vicinity of counties involves a vicinity of interest, and that the danger is ours which is the best fense that can be put upon it. And the gentlemen of this county have made cheerful expressions of their love to

your aid, and are willing to attend in person upon lawful warnings for the King's service and safety of their neighbours, wherein they desire a full concurrence from the contiguous counties, and that you would preserve them in your good opinion, etc.

Your very loving friends,
(14 signatures obliterated.)

Worcester,
13th August.

The Warwick reply shews they were not very confident.

p. 260. Warwickshire letter. To our very loving friends the lords and others the Commissioners of Array for the county of Worcester.

My lords and gentlemen,

We having received yours of the 14th of this present August in answer to ours of the xith do acknowledge your singular regards of us in resenting our present dangers, for which we shall return unto you our hearty thanks, and do desire hereby to assure you that we shall always continue most ready to give the like assistance unto you whensoever occasion shall be offered, and forasmuch as those forces formerly mentioned are approaching nearer unto us and that great numbers of men from several parts of this county have since we sent to you gathered themselves together in a warlike manner and are already entered in the city of Coventry (a place of great strength) there waiting their fittest opportunity by joining with others as we have cause to suspect, which powers, if timely resistance do not interpose, may prove of dangerous consequence not only to these parts, but to the kingdom in general. We therefore intending by God's assistance to use such means for the peace of the kingdom and our own preservation as by his Majesty's special directions we have in charge, which is partly by assistance from the neighbour counties, do desire that with all possible speed you will raise such forces of Horse and foot within your county as may yield us aid herein, and to send them forthwith unto Warwick lest

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the delay thereof shall expose us to that danger, out of which it may then be more difficult to work ourselves, in expectance whereof we rest

your very loving friends,

Warwick (7 signatures obliterated.)

15th Aug. 1642.

No reply made for the E. of Northampton
removed from Warwick to the King.

In a modern 19th century hand.

These names it was a matter of policy in change of times to deface.
A good example for any age.

The Worcestershire Commissioners wrote to the Secretary of State detailing their proceedings.

p. 262.

A copy of the answer of M^r Secretary Nicholas' letter by the
Commission.

Honourable Sir,

In these sad and distempered times we have not met with any just cause of joy, but in his Majesty's gracious acceptance of our weak and imperfect endeavours, which have more fervent affections than power for his service, for upon due inspection of our county we find such want of arms and ammunition that unless his Majesty do supply us in some fit proportion and speedily we shall be unable to serve him in that useful way which is agreeable to the occasion and our desires, The putting of the ordinance of the Militia into operation by our neighbours, The approaches of the London forces to our confines, and the withdrawing of the King from the castle of Warwick have conveyed such fears into the commons of this county that no peremptory confidence can be raised out of them, which may the rather incline his sacred Majesty to relieve us in time and manner fit for his satisfaction and our defence. We do wish that the power given to the Mayor of this city by his Majesty's warrant for the seizing of the arms of all papists and others, ill affected persons, had been extended to the places of the Out county. In presenting our humble duty and service to his Majesty you shall do a special favour to your very loving friends and servants.

August 23rd 1642.

(10 signatures obliterated.)

Whether the former warrant was found not to cover everything or for some other cause, an amended form was also issued.

p. 263, in the modern hand.

Form of warrant to search the houses of the disaffected.

To E. S. and F. S., gents, High Constables of the Hundred of H.

Whereas we whose names are subscribed commissioners of Array for the county of Worcester have had intelligence that T. G. and T. P.

of D. hath in their houses diverse arms for the arraying of men above their proportion of estate, we not knowing for what ends the same arms are provided, and having a care to preserve the peace of the King's Majesty and of the Country in these times of distraction, These are (for the preventing of danger) to will and require you forthwith to search and see what arms and ammunition are in the houses or custody of the said T. G. and T. P., and if you or either of you shall find more arms than for his rank and quality that then you make stay of the same arms and keep them in your custody, and to certify us or any three of us of your doing herein, to the end that such further order may be taken both for preserving them and also for the peace of the county.

The action of the Worcestershire Commission of Array seems to have been appreciated by the Court. Lord Falkland himself sent this reply :—

p. 269.

A copy of Mr Secretary's letter to [*name obliterated*] in thanks to the county of Worcester for receiving the Commission of Array on his Majesty's behalf.

To the right Honourable my very good lord [*name obliterated*].
(? Lord Coventry.)

My lord,

I received this day from your Honour and the other gentlemen of Worcestershire a letter dated the first of this instant, with a declaration and protestation enclosed agreed upon by the Grand Jury the 3 of August 1642 at the Assizes held for the aforesaid County, and assented to by the High Sheriff, the Lords, the Baronets, knights, justices of the Peace, gentlemen and freeholders of the same, with this I immediately acquainted his Majesty, who hath commanded to signify your lordship and the gentlemen that signed and directed that letter to me That he is very much pleased to hear the Commission of Array will be so soon put into so good a way, and returns his thanks to your lordship and the rest, as well for the care and diligence that hath put it into so good a forwardness, As for the other fruits of your obedience and love to his person and commands, of which as he is very sensible so he will not fail to be mindful upon all occasions. His Majesty hath likewise commanded me to signify to your Lordship, the High Sheriff, and all the Baronets, Knights, Gentlemen, and others that agreed upon and signed the declaration and protestation, that he received it with very much satisfaction and looks upon it as an evidence of the very great

p. 270.

loyalty and affection of that County to him and his service and returns his thanks to you all for the duty and confidence expressed in it, assuring you that by all expressions of care and affection towards his people, he will continue and augment the one, and never do anything contrary to his professions to decrease the other. One particular his Majesty takes especial notice of, which is the manner of contriving a petition formerly in that county, which as he is well pleased to hear had not the first rise from thence, so he assures you he is certainly informed of the like carriage of persons of like affections in petitions of like kind heretofore in several other counties. Your lordship is desired by his Majesty to make this known to all by whom that letter and declaration is signed, and besought by me to believe that I am, my lord,

Your lordship's most humble servant,

I have returned the original to (Falkland.)
your lordship. York, Aug. 10th.

[*In the modern hand.*]

A beautiful diplomatic letter. The celebrated Lord Falkland.

Matters were approaching a crisis on the 22nd August. Charles set up his Standard at Nottingham.

The Worcestershire Commission issued a revised list of those who would find horses.

p. 271. Corner torn off.

[Names] of the Gentlemen that find Horse for [the coun]ty
of Worcester.

..... use . . . . .	. . . . . 2	Will ^m Curteen, Eq ^r	. . . . . 2
..... [Littl]eton . . . . .	. . . . . 2	M ^r Humph. Salloway . . . . .	. . . . . 1
[Sir J. Pa.]kington . . . . .	. . . . . 2	M ^r Will ^m Child . . . . .	. . . . . 1
..... [Se]bright . . . . .	. . . . . 1	M ^r Serjeant Wyld . . . . .	. . . . . 1
Sir W. Russell . . . . .	. . . . . 2	M ^r Sharingt. Talbot . . . . .	. . . . . 1
Sir Ralph Clare . . . . .	. . . . . 1	M ^r Jo. Savage . . . . .	. . . . . 1
Sir Row. Berkeley . . . . .	. . . . . 1	M ^{rs} Abigail Packington . . . . .	. . . . . 1
Sir Hen. Herbert . . . . .	. . . . . 1	M ^r J. Winford . . . . .	. . . . . 1
Sir J. Rouse . . . . .	. . . . . 1	M ^r Wal. Blunt . . . . .	. . . . . 1
Sir T. Nott . . . . .	. . . . . 1	M ^r Joseph Walsh . . . . .	. . . . . 1
Samuel Sandys, Eq ^r . . . . .	. . . . . 1	M ^r Ed. Vernon . . . . .	. . . . . 1
M ^r Th. Lucy . . . . .	. . . . . 1	M ^r Gower and M ^r Cook, D ^r	
M ^r H. Bromley . . . . .	. . . . . 1	Longdon . . . . .	. . . . . 1
M ^r Ed. Pitt . . . . .	. . . . . 1	M ^r Franc. Finch . . . . .	. . . . . 1

Sir Mich. Hutchinson . . .	I	Mr Hen. Townshend . . .	I
Mr J. Washbourn . . .	I	Mr Th. Horniold . . .	I
Mr T. Greaves . . .	I	Mr John Nanfan . . .	I
M ^{rs} Kat. Savage . . .	I	Mr Th. Good . . .	I
Mr H. Ingram . . .	I	Mr Ed. Dingley . . .	I
Mr Th. Savage . . .	I	Mr Th. Jeffreys . . .	I
Mr W. Jeffreys . . .	I	Mr I. Dickins and Mr W.	
M ^{rs} Ann Robins . . .	I	Langston . . .	I
		Mr W. Stephens . . .	I
		Mr John Dormer . . .	I

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Sir George Wintour . . .	I	Mr Franc. Hannford . . .	I
Mr Sam. Knightley . . .	I	Mr Sam. Atwood and M ^{rs}	
Mr Rob. Gower . . .	I	Lydiat . . .	I
M ^{rs} Ann Fleet . . .	I	M ^{rs} Cooke of Staunton . . .	I
Mr Dan. Dobyns . . .	I	Mr J. Freeman of Bushley and	
Mr Rog. Lowe . . .	I	Mr Thomas Bushell . . .	I
Mr Georg. Lench and his son		Mr John Bourne . . .	I
John Lench . . .	I	Mr Th. Chetle . . .	I
Mr Th. Barnsley and Mr Ed.		Mr Rowl. Bartlett . . .	I
East . . .	I	Mr Th. Acton de Bocleton . . .	I
Mr Will ^m Brown and Mr W.		Mr Edm. Turvey . . .	I
Parsons . . .	I		
Mr Rich. Foley . . .	I	Mr Ed. Broad . . .	
Mr Russell de Malvern . . .	I	Mr Th. Gower . . .	I
Mr Franc. Haselwood . . .	I	and with his son and Mr	
Mr Ph. B[? race] . . .		Tho. Chase . . .	
Hanbury . . .		Mr Rob. Gower	
Mr Char . . .		of Colmarch . . .	I
Mr T. Jolly and . . .		Mr Ed. Barrett de Wick . . .	I
Patchett . . .			

The King thought more disarming should be done, and so sent the following order :—

p. 273.

Charles R.

Whereas there is a general apprehension of some design intended against this our kingdom by papists and others ill affected persons, we do therefore hereby require and authorize you forthwith to make search for, seize and take into your custody all such arms as you shall find in the hands of recusants inhabiting within our city of Worcester and the

County of the same, or which do properly belong to them in whose hands soever the same are. And likewise that you seize and take into safe custody the arms of all persons within the said city and liberties, who by law ought not to have arms at all, and of such factious and seditious persons who have or shall publicly neglect and despise our just lawful authority, and presume to yield or require obedience to any power over the militia of this our kingdom not consented to by us, contrary to the known laws of the land, and of your performance of these our commands, we expect a speedy account, for which this shall be your sufficient warrant, given at our Court at Stonely Abbey the 20th of Aug. 1642.

To our trusty and well beloved our commissioners of Array for our county of Worcester or any three of them, and for their assistance to the mayor and sheriff of our city of Worcester and the county thereof.

Not content with this, Charles urged a further step to be taken, that the Worcester force should go to the support of Warwick, from which Lord Brooke had just compelled Lord Northampton to retire.

p. 274.

His Majesty taking notice of the forwardness and good affection of the Gentry of that County as well in raising a troop of Horse for his service as by being well inclined to levy some foot also for his Majesty's service, hath commanded me by these to send you his Royal thanks, and to desire you in his name to send with all possible diligence the Gentlemen's troop to the Earl of Northampton and Lord of Dunsmore to Warwick. And to let you know, it will be very acceptable to him, and much for the advantage of his service, if you shall also send forth with some foot to Warwick likewise, The sooner these forces shall be sent to Warwick the great advantage it will be to his service, which his Majesty knows you will by your expedition and diligence adventure. This being what I had in command to deliver to you from his Majesty I rest your very affectionate friend and humble servant

Edw. Nicholas.

Stonley Abbey,
21st Aug. 1642.

To my Honorable friends the Commissioners of Array
for the County of Worcester.

Having raised his Standard at Nottingham on the 22nd August and then declared war, Charles urged vigorous action.

p. 275.

Charles R.

Right trusty and right well beloved and trusty and well beloved, we greet you well. Whereas we have been informed that several ill affected persons in the county of Worcester are provided from London with arms and ammunition not suitable to their condition and quality (whilst our good subjects are not suffered to buy arms or ammunition there, but what they have is taken from them and their persons imprisoned and detained) which gives just cause of suspicion of some design to raise troubles and commotions in that our county, and to assist those who have raised an army and marched with part of it against us, and are by us proclaimed traitors, These are therefore to will and require you to choose out and keep together such forces of that our county, and to authorize you to raise such further forces therein as you shall see convenient for the preservation of that our county as well from the rebels who are now quartered not far from that our county as from those ill-affected persons within the same. And we likewise signify unto you, that if you think it more convenient to have any further commission issued for raising of forces to that purpose, that you make known your

p. 276.

desires herein, and to whom you would have it directed which shall receive a sudden despatch. And we desire you to employ the utmost of your care and industry and interest in those parts to encourage all our good subjects to such a voluntary contribution as may suffice to pay the forces so raised as long as they shall be necessary for your general safety, and to appoint among yourselves a receiver for the same. To which if need shall be we shall order to be paid in such monies as the Clergy of that said county shall willingly contribute for our defence, according to the very good example of affection and loyalty which they have received from the principal persons both of that and many other counties and particularly from both our Universities, concerning which we have now written to the Bishop of that diocesc. And we likewise will and require you out of such forces as shall be by you raised or drawn together to employ such as you shall think fit to search for and seize all such arms either for Horse or foot, and such other store of ammunition as remain in the possession of any such person as you shall find cause to suspect to intend the disturbance of the peace of that our county and to seize

p. 277.

and secure yourselves of all such suspected persons, And for so doing this shall be your sufficient warrant given at our Court at Nottingham this 28th day of August in the 18th year of our reign. 1642.

To our right trusty and right well beloved — and to our trusty and well beloved the Commissioners of Array for our county of Worcester.

The Commissioners were of opinion that more men could be raised, so in their reply begged they might have authority to enlist volunteers.

The answer.

R^t Honourable

His Majesty's warrant of the 28th by M^r Herbert Price came to our hands the 30th of this month, wherein we take great pleasure and content to behold the singular care and goodness of our sacred Sovereign in providing for the safety of his faithful subjects of this county to the great encouragement of them for which we send our humblest thanks and duty to his Majesty, There is an offer of a commission for the raising of Volunteers, which hath been much wanting, and if it may please you to direct the commission to all or any three of the Commissioners of Array and to speed it away it may much advance his Majesty's service and conduce to our preservation which is the earnest desire of your humble servants.

The Commissioners sent certain proposals to the city of Worcester trying to induce them to work with the county.

p. 278.

Propositions 30th August.

1. To entreat M^r Mayor and the Chamber of the city to yield their consent for billeting of such Horse* as shall be thought fit for the safeguard of the city and county.

2. That they would be pleased to see what armourers they can provide for the making of arms—weekly, plates being brought in place.

3. To take order that no papists or recusants be suffered to take houses nor be resident within the city.

4. That if a thousand foot or a greater or lesser number be raised for the safety of the county and city, what number they will receive to billet within the city.

* "and foot" struck out.

5. To know what volunteers the city will be concerned to afford for this service upon such pay as the King gives his soldiers.

The answer hereof we crave on Friday next.

The Court were anxious to organize all county forces on a common basis, and so sent to the Sheriff of Worcestershire the following letter and enclosure :—

p. 279.

A copy of letters.

Mr Sheriff

We have thought fit to recommend to the consideration of yourself and the Commissioners of Array and Gentry of your County the result of our consultations at our meeting, the like whereof we have to the other counties mentioned in the enclosed, if such course seem acceptable to your county and be thought to tend to your safety, we shall desire to receive notice to Whitchurch upon Thursday next, where some of us shall weekly meet upon that day to treat of our common security.

Your very loving friends

Whitchurch.

Rivers.

Sept. 2nd 1642.

John Weld

Tho. Hanmer

Tho. Savadge

Paul Harris

Rob. Killmoray

Tho. Aston

R. Cholmondely

Ri. Lee

Franc. Ottley

Tho. Cotton

To the High Sheriff of the County of Worcester and the Commissioners of Array or some of them.

The Royalists were greatly alarmed by the threatened advance of the Parliament army into the West Midlands, as the enclosed document shews :—

p. 281.

Whitchurch 2nd Sept. 1642.

We his Majesty's Commissioners of Array and others his Majesty's loyal subjects of the several counties of Salop, Denbigh, Flint, and Chester upon solemn consultations and consideration had of the

imminent danger to which these counties lie exposed in respect of an army already approached as far as Coventry contrary to his Majesty's command and against his consent, and weighing what outrages have been committed and what miseries our neighbours (though of the Protestant religion) have suffered in plundering their houses and taking away their goods by some of those forces which have been raised against his Majesty's will, Have therefore thought fit and agreed for the necessary defence and safety of our counties, and preservation of ourselves, our wives, children and estates upon these particulars ensuing.

1. That the trained bands of every of the said counties be presently drawn into a body in some convenient place of the several counties adjacent to the confines thereof to be in a readiness to march out of the county for the resisting all such forces as shall advance on this side

p. 282.

Coventry or any other place at the distance towards any of those counties without his Majesty's consent, and accordingly upon summons from the Sheriff or any three or more of the Commissioners of Array of the counties or firing of the beacons shall presently march away.

2. That for this purpose that they may be kept together in a body to be in readiness. That a fortnight's pay shall be forthwith provided for the trained bands at the charges of the several counties.

3. That when they are to march the Commissioners of Array themselves in person (or such of them as the rest shall agree of) shall conduct them into such counties where such forces shall then approach.

4. All and every the said Commissioners and subscribers do mutually engage themselves in such case to bring what addition of power by volunteers or their own dependants they can severally raise for the resisting of such forces to be under the same conduct as the trained bands be.

p. 283.

5. That present representation in all humbleness be made to his Majesty of the danger threatening these counties, and that his Majesty will be pleased to approve these our resolutions, and that such other counties as are willing may come into this association with us, particularly the counties of Lancaster, Stafford, Worcester, Hereford and the other 4 counties of North Wales.

6. That his Majesty will be pleased in his tender care of us as soon as any forces shall advance towards these counties to send us such assistance of Horse and foot as in his wisdom he shall think may (by joining with the forces of these counties) be able to resist them, and to appoint such General of both these forces as his Majesty shall think fit.

7. It is desired that the Commissioners of the several counties take transcripts of this agreement into their counties subscribed by these now present, and procure the subscriptions of the rest of the gentry and the inhabitants of the several counties, and that some of the commissioners of every county will weekly meet upon Thursday at Whitchurch to give intelligence of their several accidents.

p. 284.

[24 signatures obliterated.]

The “faithful” city of Worcester seems at this time to have had leanings not towards the King but to the Parliament. The reply of the Worcestershire Commissioners to the Council at Whitchurch shews this :—

The answer.

My lords and Gentlemen,

Your letter and propositions of the 2nd of September came to our sight the 5th of this month, and very seasonably in respect of the good affections of his Majesty’s Commissioners and our meeting on the same day, But the ill entertainment of the citizens of Worcester have so scattered our thoughts, that they cannot be so suddenly recollected, whereof we make you the judges in the examination of their petition and our answers wherein you may find us concluded by the Mayor and Aldermen before we were advised with th . . . we were ready for that purpose and in difERENCE. We have made choice of another place to confer of the best way to secure this county, and to enable us for an effectual correspondence, which is due unto you not only as neighbours but friends, And when it falls within our power to make it good, none shall be readier to serve you Than your very loving friends.

On the 5th September the King sent to the Worcestershire Commissioners the following authority to enrol volunteers,

p. 285.

Charles by the grace of God King of England, etc. To our dear son Prince Charles and to our right trusty and well beloved E. E[arl] Dud[ley], T. L[ord] Co[ventry] and to our trusty and well beloved Sir T. C., Sir J. P., E. S., W. R. B., Sir E. L. B., Sir R. C., Sir H. H., Sir J. R., Sir R. B., Sir H. S., J. L., W. C., E. P., J. N., H. T., S. S., J. W., E. V., S. T., F. F., H. I., T. S., Esq^{res}.

E. S[oley], Mayor and the High Sheriff of the county of Worcester for the time being greeting, Whereas there are now at and near our city of London great forces levying and monies raising by way of contribution and otherwise towards the charge of raising and maintaining an army or forces by order of our two houses of Parliament not only without our consent but contrary to our several express commands published by several proclamations, letters and otherwise, and the said forces are actually in so much forwardness, as that there are divers horsemen daily exercised and trained in places without our said city of London, which army and forces what effects and consequences they may produce, if timely be not had we know not. And whereas we are given to understand that there are divers of the said forces now quartered near unto our said county of Worcester and many other ill affected persons residing in the same our country, know ye therefore that we do hereby authorize will and require you and do hereby give to you or any three

p. 286.

or more of you full power and authority to raise and levy such number of volunteers as you or any three or more of you shall seem necessary and expedient for the defence of the Protestant religion our person the two Houses of Parliament, the laws of the land, the liberty and property of the subject and privileges of Parliament and for the defence and safety of our good subjects inhabiting in our said county of Worcester against the said forces and other ill-affected persons now gathered near unto or residing in the said county of Worcester And to lead, conduct and command the said forces so by you levied and raised according to such instructions as you shall receive from us under our signet or sign manual, In witness whereof we have caused these our letters to be made patent and to have continuance during our pleasure, witness ourself at Nottingham the 5th of Sept. in the 18th year of our reign.

per ipsum regem,

Willis.

Having raised the Worcestershire volunteers, the King appointed Sir Thomas Littleton as their Commander.

p. 287.

Ch. R.

Right trusty and well beloved and trusty and well beloved we greet you well, Whereas we have given order for a Commission to authorize you to raise some volunteers in your said county as well for defence of the same, as for an addition to our forces if there shall be cause to call them to us, we have thought good to recommend unto you Sir Th. Littleton as a person of very good affections to us and his country fit to be Colonel of the trained bands and Volunteers which you shall there raise, if you shall approve of him and think fit, as we do, to reduce them all into one regiment, which we leave to your discretions who best know what will be most fit for the safety of that county and good of our service. And because we understand that there are divers men ill affected to our person and government and the peace of that county who have gotten into their hands great number of arms and munitions, We do hereby command and authorize you to make diligent inquiry after all such persons and to seize and take into your custody the arms and all warlike provisions which any such ill affected persons shall have and to dispose the same as you shall conceive to be most for the safety and preservation of the peace of the county and the good of our service. For which this shall be to you and every of you sufficient warrant. Given at our Court at Nottingham the 3rd of Sept. 1642.

To our right trusty and well beloved Edward Lord Dudley and [Thomas Lord Coventry] and to our trusty and well beloved the rest of our Commissioners of Array for our county of Worcester and to any of them.

Sir Thomas Littleton under this commission became the Royalist Commander of all the forces raised in the county.

p. 288.

Charles R.

Charles by the Grace of God, King, etc. To our trusty and well beloved Sir Tho. Littleton, Kn^t and Baronet, Greeting. Out of the special trust and confidence we have in your approved fidelity, wisdom, valour and circumspection We have constituted, ordained and made, and we do hereby constitute, ordain, and make you our Colonel over all our forces both of Horse and foot of the trained bands in our county of Worcester, And you hereby authorize them in martial manner to train, lead, discipline, and command in all such places and services as by us you shall be directed or by our Commissioners of Array to you and others directed is already warranted and authorized. And we do further hereby straitly charge and command all the officers and soldiers of the

said trained bands you to obey as their Colonel, and duly to perform and execute all and every your commands, And you likewise yourself diligently and carefully in all things to govern and acquit, as to the duty of such your place as Colonel over the said trained bands doth of right appertain and belong. Given under our sign manual at our Court at Nottingham this 3rd day of Sept. in the 18th year of our Reign 1642.

Mem. the words (of the County of the City) was omitted to add to the County of Worcester, that a new Commission was sent for with that clause.

The Worcester citizens were not at all disposed to assist the King, as their letter to the Mayor shews :—

p. 289.

The city petition to the Mayor.

To the right worshipful the Mayor, Aldermen and Sheriff of the city of Worcester and to the rest of the Gentlemen of the Chamber there.

The humble petition of the trained soldiers and commons of the said city whose names are expressed in the schedules hereunto annexed

Sheweth—That whereas we are given to understand by several letters and sundry printed papers which have come to our hands, that the Cavaliers and soldiers in divers parts of this kingdom (where they come) have plundered the towns, bloodily killing the king's peaceable subjects, rifling their houses, and violently taking away of their goods and in some places deflowered women.

And forasmuch as there are resorted to this city divers strangers, gentlemen and others whereof some of them are voted by the parliament to be delinquents and some other papists or popishly affected, whereby it is generally suspected and feared they have some design upon this city, or at leastwise may occasion the bringing an army upon this city to the Ruin thereof; And for that we have been credibly informed that there is an intent to billet soldiers here, which (we conceive) may be very dangerous to this City, in case they should overmaster the

p. 290.

Inhabitants thereof, For the better prevention whereof, we offer unto your serious considerations these propositions following, Humbly praying your present answer hereunto for which we attend in person.

The Propositions.

1. That such Delinquents and papists which are or shall come into this City may be disarmed and put forth of this City, lest the hand of justice following them hither, we for and with them suffer.

2. That those Troopers and all Adherents to the unlawful Commission of Array, which daily appear here to the terror of the citizens, the hindrance of our Trade and market, and tend to the dividing of the King and Parliament, may be henceforth kept forth of this City, and that the Drums be not suffered any more to be beaten up here for any Volunteers against the King or parliament.

3. That no soldiers be entertained or billeted in this City under the pretence of the safety thereof, or otherwise.

4. That such arms within this City as may conveniently be spared, be delivered into the hands of several able and sufficient men of this City, whereby they may be exercised and disciplined therewith, and so fitted to defend this City in case any sudden assault shall be made thereupon.

p. 291.

5. That there be sufficient and strict watch and ward at every gate within this City, and at the quay head. And especial care taken that all passengers and carriages by land and water be examined and searched which shall come into or go forth of this city or liberties thereof.

Of all which we desire your good concordance with us, that you and we being members that make up the politic body of this City, and so you and we agreeing in one, Dissention (which hath been the mother of all our feared evils) may be taken away, and for the consummation that happy peace desired, we will in the first place be earnest to implore the assistance of the Almighty and readily venture our lives and estates in defence of the King and parliament and of this our City.

And we shall pray, etc.

The Mayor sent a separate reply, which does not shew any very great leaning to the King.

Mr Mayor's answer.

1. To the first proposition is granted that the Lord Lovelace and one M^r Stanford who are by the Commons declared to be delinquents and papists shall be required speedily to depart the City, and if they do not upon such request depart, they shall by lawful means be enforced thereunto.

2. That the Commissioners of Array shall be treated withal by the Mayor and Aldermen and to acquaint them with the fear and desire of the Commons, and that they be desired to forbear to appoint their meetings in this City any more.

p. 292.

3. That there hath not been any such intention of billeting of soldiers in this City, neither shall there be any soldier here billeted, if it may be prevented.

4. That the Mayor hath not power of himself to compel the citizens to deliver their arms into the hands of any particular persons, nor to train nor discipline the citizens, but this particular hath been granted unto many Corporations by Ordinance of parliament, and (at your request) we shall endeavour to obtain the like.

5. It is granted that there shall be watch and ward and search according to your desires.

Within three weeks, on 24th September the city had to submit to all the tender mercy of a hostile Parliamentary force, as on that day Essex occupied Worcester. Neither the Mayor nor the citizens found it pleasant. The Mayor was made to go down on his knees and beg Essex's pardon for having betrayed the city.

The Commissioners of Array considered the best thing was to leave the city to its fate. Byron was marching there from Oxford, Essex from Alcester; the Commissioners did nothing.

Answer of the Commissioners of Array.

5th Sept. 1642. To the second proposition That his Majesty's Commissioners have taken the proposition of the petitioners which concern themselves into consideration, and though the time be short, and the proposition new and sudden, yet for the satisfaction of the petitioners, M^r Mayor and the Aldermen of the City give this for answer. That they appointed their meetings near the City for the benefit and safety thereof without respect to themselves or families, and at their own charges, But since it is not so understood, The Commissioners do resolve to forbear any further resort to the City upon the business of Array.

On the 16th September Byron reached Worcester from Oxford. On the 22nd Essex's advanced guard reached Worcester, but failed to enter it. About midday on the 23rd Rupert swooped down, defeated Essex's men, rescued Byron, and retired towards Ludlow. On the 24th the Parliament troops under Essex occupied Worcester. They held it until the 20th October, when they marched out to intercept the King on his march to London. On the

23rd October the battle of Edgehill was fought ; after that Col. Thomas Essex was made Governor of Worcester. He remained there until early in November ; about the 15th November he retired to Gloucester. A little later in the month Worcester was re-occupied by the Royalists, and Sir William Russell became Governor. On the 17th December 1642 the following message was sent him by the King :—

p. 309.

Charles R.

Trusty and well beloved we greet you well. Whereas there are at this time certain of our forces residing in that our county for the defence of the same against the violence and plundering of the Rebels' Army. And whereas at this time (our Revenue being by force detained from us) we are disabled to pay them, and so have cause to fear lest our soldiers. be forced to commit some violence upon the country, which we are most desirous to avoid, These are to will, require and authorize you to cast up the necessary charge for their maintenance, and to cause it in the best and most satisfactory manner to be equally divided throughout the county that every division, Hundred and parish may be rated their proportionable share and to set them a time and place, and require them in our name to pay it in accordingly all the same, as they tender our Honour, safety, their own defence and preservation, and as they expect that our officers should be enabled to contain their soldiers under such discipline that they may commit no outrages upon the defaulter for want of necessary subsistence, And we will and require you, that acquittances be given to the Country for what is so received, that we may punctually know how to repay the same, which as soon as God shall enable us We promise them to do. And for your obedience to these our Commands this shall be your sufficient warrant. Given at our Court at Oxford this 17th of December 1642.

Four days after the King sent another letter to cheer those in the county who were freed from the Parliamentary troops.

To our trusty and well beloved Sir William Russell, Baronet and
High Sheriff of our County of Worcester.

Trusty and well beloved we greet you well. We are very much moved and afflicted with the sense we have of the pressures and sufferings of our good subjects of that County in so high a measure

from the forces of the Rebels, and in some degree from such forces of our own which we were constrained by this Rebellion to raise there for the necessary defence of ourself and of that our County, And we do therefore will and require you to make known to all the Gentry, Clergy, Freeholders, and other our good subjects of that our County That we take in very good part their cheerful expressions from time to time of their affections to us and our service, and to acquaint them with the

p. 310.

compassionate sorrow with which we are affected for the difficulties and damages they have sustained by reason of this desperate Rebellion, And to assure them that as we are resolved always to govern them by the known laws of the land, that thereby they may have a perfect enjoyment of their liberty and property in the most happy condition that may be and be freed from such breaches of the same, which nothing but the necessity of war (and that to our great grief) should ever in our reign have brought upon them, so we hope God will shortly enable us to defend and protect them from the violence and unnatural opposition of the Rebels and to establish the peace of this kingdom hitherto interrupted by them. And our will and pleasure is, and we do hereby command you to require all our Officers and Ministers of Justice of our said County to have a special care of the due execution of our laws, especially such as have been made for the punishment of Drunkards, profaners of the Lord's day, swearers, and for the relief of the poor, etc.

Given at our Court at Oxford this 21st day of December 1642.

This, as far as the Diary is concerned, ends the year 1642.

CHAPTER V.

1643.

The first document for this year is a prayer for peace. There is nothing to shew by whom or by whose authority it was issued. It is obviously a Royalist production, but it does not appear, although it is stated to be used in churches, that there was any legal authority for its public use. It is as follows :—

p. 293.

A prayer for the King in this time of civil division between him and his Parliament, to be said in churches 1643.

O Lord guard the person of the King.

Ans. Who putteth his trust in thee.

Send to him and to his Armies help from thy holy place
And evermore mightily defend him.

Confound the designs of those that rise up against him,
And let not their rebellious wickedness approach to hurt him.

O Lord hear our prayers,

And let our cry come unto thee.

O Lord God of Hosts who givest victory to Kings and didst deliver David thy servant from the peril of the sword, hear us we beseech thee most miserable sinners who do here pour out our souls before thee, entirely desiring the protection of thy hand upon thy servant the King : let him find safety under the shadow of thy wing, and preserve his person as the Apple of thine own eye, suffer not the sword which thou hast put into his hands to be wrested out by the hands of men : But bless and prosper his Councils with good success, and his enterprises with victory, that he may go on to be a terror to all those that oppose him ; And to be as the dew of the latter rain upon the hearts of all those who still remain loyal to him And O thou who takest no delight in the misery of one single sinner, spare merciful Lord, spare a great, though a most sinful nation, pity a despised church and distracted state, Heal up the wounds which our sins have made so wide, that none but thine own hand can close them and in tenderness of thine unspeakable compassion hasten to put so happy an end to these wasting divisions, That

thy service may be more duly celebrated, thine anointed more conscientiously obeyed, That the church may be restored to a Christian Unity, And the kingdom to its former peace And for his sake who is the Prince of peace, and that shed his precious blood to purchase our peace even Jesus Christ. Amen.

The position at the beginning of 1643 was as follows :—

Charles was at Oxford at the head of a considerable force, but in urgent need of money.

In Worcestershire Edward Vernon was Sheriff for the first part of the year, and afterwards Sir William Russell, who was also the Military Governor of Worcester. The Mayor of Worcester was Henry Ford. All the strong places in the county were held by Royalists : Dudley by Colonel Leveson, Bewdley by Sir Thomas Lyttelton, Evesham by Colonel Sandys. There was no organized body of Parliament forces in the county. Such being the state of things, Charles or his advisers considered it to be a favourable opportunity to raise money by his favourite device, a voluntary aid. Letters were accordingly directed to the Sheriff ordering him to take steps to raise it. The Sheriff directed the High Constable of each Hundred to call on each of the parish constables to summon all freeholders, copyholders, and able men in their parish to appear at Worcester on the 5th January 1643 to consider a voluntary aid for the defence of His Majesty's person, the Protestant religion, the laws of the land and the privileges of Parliament. Unfortunately the only document given in the Diary is the High Constable's summons to the parish constables in the Hundred. It is as follows :—

p. 295.

Wigorn. SS. To the Constable of Elmley Lovet.

These are by virtue of a precept to me directed from the High Sheriff of this County to require and charge you forthwith upon receipt hereof that you summon all Yeomen, Freeholders, Copyholders and other able

persons within your parish, And that both you and they be and personally appear at the Tounhall within the City of Worcester upon Thursday next the fifth of this month by ten of the clock in the morning then and there to understand his Majesty's directions given by his letter under his signet to the said High Sheriff concerning the Voluntary aid and contribution of all his Majesty's loving subjects within this County towards his Majesty for the defence of his person, the Protestant religion, the laws of the land, and privileges of Parliament, whereof fail you not at your peril. Dated 2nd Jan. 1642.

Your loving friend,
Franc. Smith.

If there be any whom you ought to summon, unable to appear you are to receive their willing aid to his Majesty and this service and to return it.

There is no report of the meeting, but it does not appear to have been a success. Whether at the meeting or afterwards, a petition to Parliament was prepared; unfortunately the date has been struck out, and a note is added in a different handwriting.

"Mmd. This Petition was drawn but was not approved of by all."*

The Petition is as follows:—

p. 297.

To the right honourable the Lords and Commons in Parliament assembled.

The humble petition of the Knights, Gentlemen and Freeholders
of the County of Worcester,

Humbly Sheweth—

It having been imputed as a fault in this County the not addressing themselves in a petitionary way to the honourable House of Parliament for the relief of such Grievances as other parts have complained of, we desire may not be misconstrued to be a neglect but rather an expression of our duties, that no ordinary pressures should make us become troublesome to your great Counsels.

But such hath been our sufferings by that great Army raised by the

* *p.* 298.

Contrivance of that Malignant party so often mentioned and complained of by his Majesty in his several declarations, and sent forth of London with those Attributes (for the defence of the Protestant Religion, the safety of his Majesty's person, the privileges of Parliament and the liberty of the subject) that we can no longer forbear to become humble Petitioners unto you in making known how Contrary the Conduct of that Army have been, to the ends which were pretended, the true Protestant religion by them abused, the book of Common prayer slighted, our Churches profaned, His Majesty fought against, and his person and children endangered, His subjects plundered at the will and pleasure of the soldiers, the Kingdom now miserably involved in a bloody and unnatural war which must inevitably produce to this Kingdom an Universal (*sic*), unless God in his great mercy give a speedy end to these unhappy distractions and our present sufferings And as

p. 298.

we are in all duty bound to acknowledge his Majesty's singular goodness to his people and care of their preservation by his gracious offers and messages to his Houses of Parliament before any blood was spilt or other miseries brought upon us, So not doubting of his Majesty's pious inclination to peace, when due and humble propositions shall be by you his great Council tendered to him, we must become humble suitors that you will be pleased to address yourselves in all humility to his Majesty with such propositions for an Accomadation of peace, as may effectually tend to the settlement of the Protestant Religion now professed amongst us, and such as may preserve His Majesty's Honour, safety, and just rights of his Crowns with a care to the Privileges of Parliament, the just liberty and property of the subject which we believe to be the only means to make the King glorious and Kingdom happy, by a blessed union between him and his House of Parliament, and these our humble desires we are petitioners that you will present them to his Majesty, and for your prosperous endeavours herein we shall bless God,

And ever pray, etc.

[*Date obliterated.*]

The Epiphany Sessions for the county were held on the 18th January. The Grand Jury agreed that a sum of £3000 should be raised and paid monthly towards the payment of His Majesty's forces sent and raised for the defence of the county of Worcester. John Bacon was appointed collector and

directed to pay the money over to Sir William Russell, Sheriff of the county and Governor of Worcester. The following entry as to this is given by Townshend :—

p. 299.

An agreement of the great inquest made the last sessions for the county of Wigorn, for the raising of three thousand pound monthly, towards the payment of his Majesty's forces, sent and raised for defence of the said County and City of Worcester.

Wigorn. SS. Ad generalem sessionem pacis Domini Regis tentum apud Wigorn pro Comitatu prædicto decimo die Januarii, Anno regni Domini Caroli nunc Regis Angliæ etc. Decimo Octavo.

Whereas the great Inquest at this present sessions, upon consideration had of the King's Majesty's most gracious Letters, agreed that there should be raised forth of the County of Worcester, the sum of three thousand pounds of lawful English money a month, towards the payment of his Majesty's forces, sent and raised for the defence of the said county and the city of Worcester. The first payment to be for this present month of January, and the said sum or sums which should be raised, to be paid unto the several High Constables of the County of Worcester, and to be paid by them unto John Bacon, Gent., to be disposed of by Sir William Russell, Baronet, High Sheriff of the County of Worcester, and Governor of the said City, upon account to be given by him to the King's Majesty's Justices of the Peace of the County, and likewise to the said County, which first monthly payment shall be paid before the second day of February next coming, and so to continue, as long as Sir William Russell and the King's Majesty's Justices of the peace of the County of Worcester assembled at this present Sessions, should think fit. And that the same money should be assessed by four or more of the sufficient inhabitants of every parish or village in the said County of Worcester, according to the usual rates

p. 300.

of the payment within the said county. And that every person which should be so assessed, should be assessed for his lands and rents, where they lie, and that all persons of Ability should be assessed for their personal estate And likewise the Clergy, and all others that are owners of Impropriate Tithes, or any other Tithes whatsoever, should

be assessed towards the said payment from time to time, which said Agreement of the great Inquest, the Court doth very well approve, and doth order it accordingly. It is thereupon ordered That the Clerk of the peace should presently make out warrants to the several High Constables of the County of Worcester for the collecting of the same. 1642.

Per Curiam.

Steps were at once taken to raise the money. The Clerk of the Peace, Francis Walker, sent to each of the High Constables of the Hundreds directing each to raise the money in his Hundred and pay it over to Sir William Russell before the 2nd February. The sum was to be assessed by four or more of the most sufficient inhabitants of each parish. The Clergy and owners of tithes were to be assessed upon them. The Clerk of the Peace's letter was as follows :—

p. 301.

Wigorn. SS. To Edward Sheldon, Gent., one of the High Constables of the Hundred of Halfshire.

Whereas the great inquest at this present Session upon consideration had of the King's Majesty's gracious letters upon agreed that there should be raised out of the County of Worcester the sum of Three thousand pounds a month of lawful English money towards the payment of his Majesty's forces sent and raised for the defence of the said County and City of Worcester, the first payment to be paid for the present month of January, and the said sum or sums of money which shall be raised to be paid unto the several High Constables of the County of Worcester and to be paid by them unto John Bacon, gent., to be disposed of by Sir W^m Russell, Baronet, High Sheriff of the County of Worcester and governor of the City of Worcester upon Account to be given [unto] by him to the King's Majesty and likewise to the County of Worcester, the which first monthly payment should be paid before the second day of February next coming and so to continue as long as it should be thought fit by the said Sir W^m Russell and the King's Majesty's Justices of the peace of the County of Worcester assembled at this present sessions. And the same to be assessed by four or more of the most sufficient Inhabitants of every parish or village in the County of Worcester according to the usual rates of the payment

within the County of Worcester, and that every person which should be so assessed for their personal estate, And likewise the Clergy and all others that are owners of impropriator tithes or any other tithes whatsoever should be assessed towards the said payment from time to time, which said agreement of the great Inquest the Court doth very well approve and doth order it accordingly. These are therefore to

p. 302.

will and require you to levy, collect and gather your proportionable parts of the said monthly payments within the division of your hundred according to the said order and to pay the sums unto the said John Bacon. And that the same money shall be assessed upon every parish in the same manner as the Assessment was made for the four hundred thousand pounds imposed upon the kingdom by Act of Parliament. And if you shall repair to the Commissioners of the several limits they will give you Instructions herein for the assessing thereof. Whereof fail you not at your peril. Dated at the general Sessions of the peace holden at Worcester for the County of Worcester aforesaid the tenth day of January in the eighteenth year of the reign of our Sovereign Lord Charles by the grace of God of England, Scotland, France and Ireland, King, Defender of the Faith, etc.

Pro Cur.

Franc. Walker, Cler. parc.

On receipt of this letter from the Clerk of the Peace the High Constable of each Hundred wrote to the different parish constables in his hundred ordering him to raise the parish quota of the £4000.

p. 303.

Wigorn. SS. To the Constable of Elmley Lovet and his Deputies.

By virtue of an order made at the last general Sessions of the peace holden for this County upon consideration had of his Majesty's gracious letters for the raising out of this county the sum of £3000 a month towards the payment of his Majesty's forces sent and raised for the defence of this County and City of Worcester, the first payment to be paid for this month of January and the same sums to be paid to the several High Constables of this County, and to be paid by them unto John Bacon, Gent., to be disposed of by Sir W^m Russell, Knight and Baronet, High Sheriff of this County, the first monthly payment to be paid before the second of February next, and the same to continue so long as should be thought fit by the said Sir W. Russell and the Justices of the peace

there assembled. And the same to be assessed by 4 or more of the most sufficient Inhabitants of every parish according as the Assessment was made in this County for the £400,000 imposed upon this Kingdom by Act of Parliament, And that every person should be assessed for his lands and rents where they lie, and all persons of ability for their personal estate, and likewise the Clergy And all owners of tithes and impropiators, These are therefore to will and require you presently to

p. 304.

nominate and give notice unto four or more of the sufficientest persons in your Constablewick forthwith to assess the sum of ten pounds eight shillings and 3^d within your parish according to the said order, and forthwith to deliver such assessment unto you in writing, and that thereupon you presently collect and gather the said sum and make payment thereof unto me at the Townhall in the City of Worcester upon the first day of February next, And thereof fail you not at your perils. Dated this 17th of Jan. 1642.

Francis Smith, High C.

The sum Elmley Lovett was required to pay towards the £4000 was £10 8s. 3d., and the assessment was as follows :—

p. 305.

Wigorn., Jan. 29^o, 1642. The assessment of all the owners' lands within the parish of Elmley Lovet and likewise those that have goods only for the payment of £10 8s 3^d imposed upon the parish for and towards the payment of £3000 monthly on the Account.

	£	s.	d.
Hen. Townshend, Esq ^{re}	2	00	00
M ^{rs} Cicely Brace, wid. . . .	0	08	00
John Lench, Gent. . . .	0	10	00
John Bourn, Gent. . . .	0	12	00
John Acton, Gent. . . .	0	05	00
M ^r Ed ^d Best, Rector de Elmley . . .	0	13	04
Ric. Wollaston, Cleric : . . .	0	03	04
M ^r Nath. Tomkys, Clerk . . .	0	01	06
Anthony Acton, Gent. . . .	0	02	06
Tho. Tyrer, gent. . . .	01	00	00
Tho. Insoll	00	03	04
John Burnard	00	04	00
Franc. Gittens	00	02	00
John Stower	00	03	04
Charles Bacon	00	03	00

John Kyndon	00	03	04
Fortune Manning, wid.	00	01	08
John Hanbury	00	00	10
John Tupper	00	03	00
Lewis Palmer	00	03	04

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John Best, sen.	00	03	04
Anthony Best	00	01	08
John Best, jun.	00	01	08
Eliz. Ince, wid.	00	01	08
John Ince	00	01	04
Tho. Hanbury	00	00	06
Will ^m Feild	00	00	06
Joan Best	00	03	00
Tho. Ballard	00	00	10
John Smith	00	05	00
Tho. Williams alias Scot	00	04	00
Tho. Moule	00	06	09
Humph. Thatcher	00	02	06
Joan Barnsley, wid.	00	01	03
Edm. Smith	00	02	01
Charles Harwood	00	05	00
John Pooler	00	01	04
Edm. Ryall	00	06	10
Tho. Cammell	00	03	08
Tho. Burnell	00	00	10
Tho. Gardner	00	00	10
Tho. Burton	00	00	10
pro bonis Franc. Webley	00	00	10
Walter Perks	00	00	10
Will ^m Male	00	00	10
Hugh Hale	00	00	10
Franc. Hanbury	00	00	10
Tho. Danks	00	00	10
Humph. Cooke	00	I	6 ^d
<i>p.</i> 307.	00	06	06
Will ^m Hunt	00	01	08
Philip Best	00	00	06
John Pardo	00	00	06
	10	08	03

With this letter was sent directions for making out the assessment. Several very important exceptions were made to the usual rule. The assessment was to be made on the value, not the quantity ; everyone was to be included, not merely the laity, but the Clergy. The tenant was to pay in the first instance and deduct the sum from his rent. It was only in this way the landlords who favoured the Parliament could be made to pay towards the cost of the King's forces.

p. 307.

Directions for Assessment.

1. You are to tax every person according to the rate and true value of the land, and not according to the yard land unless they be of an equal value, not in quantity but also in quality, and likewise that you tax every person, vicar and curate and Impropiator for the Tithes and glebe lands.
2. You are to tax every landlord for his land, not the under-tenant, and the tenant neither for his goods, unless he hath a surplusage of personal estate beside.
3. The tenant is to discharge the Assessment laid upon the landlord and to abate it out of his Rent.
4. No household servants are to be rated, and in your Assessments you are to go after the Act of £400,000 in the general.
5. If Assessors make any indirect Assessment upon complaint made, the tax will fall upon their own heads. And—
6. If there be any difference upon any inequality of tax you are to repair to the next Commissioners for remedy.
7. In all Assessments the major part of the Assessors agreeing, the Assessment must so stand good. If Assessors neglect or refuse to make an Assessment upon notice given to them by the Constable or his officers, that the charge of all will fall upon the Assessors themselves, of whom the whole sum will be required, and if it be in the Constable, then upon him.

The King appears to have been very pleased with the county's loyalty and their practical prompt way of shewing it. On the 20th January he wrote from Oxford to Sir William Russell the two following letters :—

p. 302.

Charles R.

Trusty and well beloved we greet you well. We have seen with

very good contentement and do very well approve the agreement of the late great Inquest of our County of Worcester for the monthly payment of £3000 towards the maintenance of our forces, which is so lively an expression of the true zeal and loyal affection to us and our service of the Gentry and other our good subjects inhabitants of that our County, as we must return you and them all due and hearty thanks, which in our name we hereby require you to give unto them and to assure them we most graciously accept and embrace the same, And forasmuch as it sorts very seasonably with our occasions, especially such as concern the securing of our County, we therefore command you forthwith with the advice of the justices of our said County to put the said agreement in execution in such manner as may be most effectual for our service and your own defence. Given at our Court at Oxford the 20th day of January in the xviiith yeare of our reign 1642.

To our trusty and well beloved Sir William Russell, Baronet,
High Sheriff of Wigorn.

p. 300.

Charles R.

Trusty and well beloved we greet you well. We have seen with very good contentment and do very well approve the agreement of the late granted Inquest of our County of Worcester for the monthly payment of £3000 towards the maintenance of our forces, which is so lively an expression of the true zeal and loyal affection to us and our service of the Gentry and others our good subjects, inhabiting in that our County as we must return you and them all due and hearty thanks, which in our name we hereby require you to give unto them and to assure them we most graciously accept and embrace the same. And forasmuch as it sorts very seasonably with several of our occasions especially such as concern the securing of that our County, we therefore command you forthwith with the advice of our said Justices of our said County to put the said agreement into execution in such manner as may be most effectual for our service and your own defence. Given at our Court at Oxford the xxth day of January in the xviiith year of our reign 1642.

To our trusty and well beloved Sir William Russell,
Bart., High Sheriff of the County of Worcester.

In addition to the monthly contribution towards the King's general necessities, it was necessary to raise monies to meet certain special expenses. For instance, Sir Thomas Aston commanded a regiment which was ordered in January 1643 to march through

Worcestershire ; on their way they reached Kidderminster, where they stayed—it does not appear how long, but in their stay they incurred charges amounting to £28 8s. 2d., and this sum the inhabitants of Kidderminster had to raise and pay under the following order :—

p. 325, in another hand.

A Warrant of Assistance for the quartering of Sir Thomas
Aston's Regiment.

Charles R.

Whereas we have present and urgent occasions for the necessary defence of our person, Crown and dignity and for the preservation of the Protestant Religion, the laws of the land and liberty of the subject (being all invaded by rebellious schismatics) to draw unto us supplies both of Horse and foot, And by the practice of such Confederates are deprived of our own means, whereby to defray the necessary Charge attending such forces upon their marches, And to that purpose have authorized our trusty and well-beloved Servant Sir Thomas Aston, Baronet, with Commission for conducting and raising several forces for our service We do hereby require and charge you and every of you that upon sight hereof you be aiding and assisting to him the said Sir Thomas Aston and to all persons commanding under him or employed by him for the quartering, Billeting and providing Necessaries for the lodging, diet and Accommodation of all such forces both of Horse and foot, as shall be by him raised or under his Command in pursuance of the authority by us given, both in the raising of them, and in the Conduct of them to our Army, Hereby authorizing you to give assurance to all such persons to

p. 326.

whom the said Sir Thomas Aston or his next Officer in Cheif then appointed shall give Tickets under his hand for payment of any sums of money for necessary provisions for the quarter of such forces, We shall carefully and truly see discharged as soon as God shall enable us. Herein we require your utmost diligence as you will answer the contrary. And for so doing this shall be your warrant. Given at our Court at Oxford the 20th day of January 1642.

To all Mayors, Sheriffs, Justices of the peace,
Bailiffs, High and petty Constables and
all others our officers and loving subjects
whom these shall or may concern.

Charge at Kidderminster upon the bill comes to

£xxviiij viij^s ij^d.

As the levy on the parishes produced some money, though not so much as was hoped, the soldiers became clamorous for their pay. The King accordingly, to pacify the claimants, issued the following orders as to pay on the 5th March 1643 :—

p. 329.

Charles R.

You shall upon Conference with the Governors and Officers of our Garrisons and view of their Musters conclude what sums of money are to be raised for the support, and weekly payment of their garrison, and thereupon you shall take such order for the equal and constant payment of the same, as you shall in your discretion think most fit, that our good subjects may be as little pressed as is possible, and our Garrisons so supplied, that our soldiers through want be not compelled, or have no excuse for infringing our Commands and you shall take the same course regularly, and orderly, to raise the £3000 monthly promised the County to us, and such other sums as from time to time shall be agreed upon, towards the maintenance of our Army, which was appointed to be in proportion equally divided to Sir James Hamilton's Regiment of Horse and Dragoons, and Colonel Sandys' Regiment of foot.

You shall appoint several Collectors and Receivers to Collect and receive the money by you appointed to be paid by the County and to pay the same to the Governor or other Officers of the Garrison at the times appointed.

You shall summon and call together the gentlemen, Clergy and substantial freeholders and Inhabitants of that our County at such times and places as you shall think most convenient and you shall move them in our name to assist us with the loans of such sums of money as are agreeable to their affections and abilities, more especially you shall call before you such persons who have continued to foment this unnatural bloody dissension by contributing in money, plate, horses, or Armes to the persons in Rebellion against us, from such persons we expect a liberal supply, whereby we may be satisfied that their former errors proceeded rather from weakness than from malice, And all such

p. 330.

Sums of money as shall be gathered, or received by loan or otherwise (except the monthly contribution for the maintenance of our Garrison

there) shall be paid to our high Sheriff who shall forthwith convey the same to us.

If any soldier shall misbehave himself contrary to our proclamation and to the prejudice of any of our good subjects then Complaint shall be made, and Information shall be given to the Governor or other superior officers, and if a due reformation be not made upon signification from our said Commissioners, we shall see justice done, not only upon the soldiers, but Officers, and reparation to be made to the party justly grieved.

You shall cause all seditious preachers and such other turbulent persons whose stubbornness and perverseness may in your opinion have an ill influence upon the peace of the County to be apprehended, kept in safe custody, that our service may receive no prejudice by them.

You shall meet every Saturday at Worcester, and as often as you shall think fit and shall then agree to have such other meetings in other places as you shall think necessary for the service.

You shall use your best endeavours to discover and find out any arms of any sort in the hands of persons disaffected or such who ought not to have Arms, and you shall cause them to be seized for our use and brought into our Magazine of our Garrison, and you shall cause all the Arms of the Trained bands, who have voluntarily carried their Arms to Gloucester, Warwick, or any place now in Rebellion against us and there left them, at their peril to provide the Arms they are charged with, and bring them into our said Magazine from whence no Arms shall be delivered but upon warrant and by Indenture.

p. 33¹.

You shall give direction that all public monies due in the County either upon the bill of the £400,000 or otherwise by any act of Parliament or such money as remains in the hands of any Collectors for Ship money, Coat and Conduct money, or the like be forthwith paid to the hands of our High Sheriff to be disposed as we shall direct, a note and account of which monies as the same shall be paid shall be entered into your Registry and a copy thereof sent to us.

You shall return the names of all such persons within that our County who are in actual Rebellion against us or adhere to those that are with a Certificate of their quality and value of their estates, that we may give such further direction concerning them as shall be thought necessary.

If any person within that our County who have either actually joined in, or otherwise assisted this unnatural Rebellion against us,

shall apply themselves to you with any expression of their repentance and their inclinations to our future service, you shall certify the names of such persons with your opinion of them, that we may shew such grace and favour to them as may become a gracious and merciful prince.

You shall assign Colonel Sandys such quarters for his Regiment of Horse as you shall think most convenient, he paying for what he takes, and that he may be enabled so to do, you shall supply him out of those public monies of the County over and above the three thousand pounds monthly contribution, as you in your discretion shall think fit to defray that Charge. As also, out of those monies you shall have power to dispose of so much as will suffice for the casting and making of ordnance for providing such store of arms as you shall think necessary for our service and the safety of the Country, together with powder, powder mills and match.

p. 332.

Lastly in all things else that may conduce to the peace of our County or advantage of our service you shall be careful to give us such information as we may take further resolution and give you such further directions as there shall be Cause. Given at our Court at Oxford this fifth day of March under our sign manual 1642.

It was not only money that the King wanted, ammunition was also required, so the Worcester garrison were ordered to make a supply of gunpowder as speedily as possible. This is one of the things that Dud Dudley claimed to have done.

Charles R.

Trusty and well beloved, we greet you well. Whereas by our late Instructions to you, we directed you amongst other things to provide for the making of Gunpowder and Powder mills out of the public monies of that County over and above the £3000 Monthly Contribution to be levied by agreement in our said County towards the payment of our forces there for the defence of the same and of our City of Worcester, There appearing to us a great and present Necessity of advancing the said work. Our will and pleasure is, that you forthwith cause one or more Powder mills to be erected in some convenient place, and therewith endeavour the speedy making of as great a quantity of Gunpowder as possibly you can, for our present service. And to defray the charge thereof out of the monies aforesaid. And our will and pleasure is, that

you use all possible Diligence in the present quartering, arming, and setting forth of Colonel Sandys his Regiment, and also in assisting and arming of all the other forces already levied or to be levied in that our County, which we shall look upon as a most useful and most acceptable service to us. Given at our Court at Oxford the Eighth day of March 1642.

The next thing the Worcester Commissioners were required to supply was horses. The King ordered them to furnish by way of loan 100 horses within twenty days.

p. 333.

Charles R.

Trusty and well beloved, we greet you well. We being for our own necessary defence and preservation, as likewise for the defence and security of our good subjects, the protestant religion and the laws of the land enforced to keep several Armies in pay, at our great and excessive charge. And if it shall not please God shortly to put an happy period to these distractions We must again draw into the field and by force of arms endeavour (by God's assistance) to recover our just rights and the liberties of the people, Cannot therefore but expect your cheerful and willing assistance in what may conduce unto those ends. And seeing against that time, We shall have occasion to employ great numbers of able Horses for the draught of our Artillery and Ammunition, We desire you forthwith from us and in our name, to treat with several Inhabitants of that our County of Worcester to furnish us by way of loan (as it hath been practised in our Northern parts) with the number of one hundred able horses, furnished, with strong and good harness fit for draught, to be ready in such place, and such a certain day, as we shall hereafter direct. And that in the Interim you give all such persons as shall be ready, and subscribe to furnish us assurance of the restitution of such horses, or the true worth of them, the particulars of the full number subscribed, and the value of each horse. We or our Council of War expect to receive from you, within twenty days after the date hereof, that so we may give further order touching their disposal. And that our desire herein may be the more readily conformed. Our further pleasure is, that you signify to all such persons, as shall furnish us as aforesaid, that upon the delivery of their horses, each of them shall receive our Royal protection for the preservation of their goods and Estates together with our thanks for so acceptable service thereby done unto us. So we bid you farewell. From our Court at Oxford this eighth of March 1642.

While the King and his advisers were mainly engaged in getting money, the Parliament were teaching the county the true meaning of civil war. Gloucester was a Parliament stronghold with a large garrison, and had what was more important, a man who became one of the best leaders of forays in the war, Edward Massey, who devoted his whole time and attention to intercepting men and supplies coming from Wales for the use of the King's forces. From Gloucester, Massey made the south-west border of the county a most unpleasant place ; his constant raids and his constant forays did more to convert the county west of the Severn to the Parliament than all professions of loyalty. It was felt Massey must be stopped, so to do this a new Commission was issued on the 16th March appointing 23 persons a committee to take all proper steps to secure the county. The Commission is as follows :—

p. 327.

Charles by the grace of God king of England, Scotland, France and Ireland, defender of the faith, etc. To our trusty and well beloved Sir William Russell, High Sheriff of our County of Worcester and governor of our City of Worcester, Baronet, Sir John Pakington and Sir Edward Sebright Baronets, Sir Ralph Clare knight of the Bath, Sir John Rouse, Sir Henry Spiller, Sir Rowland Berkeley and Sir John Winford knights, Samuel Sandys, Edward Pitt, Thomas Savage, Sherington Talbot, John Keite, Edward Dingley, Francis Finch, Henry Townsend, Edward Vernon, Thomas Childe, Joseph Welsh and William Jeffreys Esq^{res}, James Littleton Doctor of law, Henry Ingraham and Martin Sandys Esq^{res}, greeting. Whereas Robert Earl of Essex and others his adherents have actually and rebelliously levied war against us within this our kingdom of England, whercby we have been enforced to raise an army likewise for our own just defence, and the defence of the true protestant Religion, the laws of the land and the right and liberties of our good subjects, which Rebellion hath been so great an Influence upon that our County of Worcester, that some seditious persons have had the power, not only to disturb the peace of that our County by compelling the Inhabitants thereof to submit to Illegal and Arbitrary Taxes and Commands, but to gather Multuous [*sic*] of Armed men in a Rebellious manner to insult, imprison, and rob our good subjects and to continue

in a body. In so much that we have been compelled to send considerable part of our Army into that County to disperse and scatter those mutinous and traitorous people. So that we are compelled for the peace and security of our good subjects of that County to keep several Garrisons there for the maintenance whereof our well affected Subjects there well knowing how unable we are of ourselves to undergo so great an expense have gratefully and dutifully resolved to raise a present sum of money for our extraordinary supply. And likewise to provide for a weekly contribution for the support of our said Garrisons. But by reason the said resolution is not digressed [*sic*] into any form and order for the equal and constant collection of the same, our Garrisons are both disappointed of their subsistence, and our subjects more grievously pressed upon too.

p. 328.

We have thought fit therefore to settle a Council of certain persons of Honour and worth of that our County, who together with the principal Commanders of our Garrisons by this our Commission and according to such instructions as ye shall herewith give unto them from time to time may take unto their Consideration and by their advice put in execution such things as may best conduce to our service in those parts for the safe guarding of the same from violence of the Rebels and their adherents for the equal assessing and orderly levying such sums of money as either are or shall be thought fit to be raised for the maintenance and support of the said Garrisons, and for appointing Receivers for the same and duly paying the several proportions which shall be so allotted to our several Garrisons, and for the borrowing, receiving, disposing and ordering of such monies, plate, Armes and Ammunition as our good subjects there shall willingly give or lend unto us in these times of necessity and for the preventing of all inconveniences which might happen unto us, or our Army or our good subjects for whom our care is, and ever shall be equal with that which concerns our own person and Children. Know you therefore that we reposing special trust and confidence in your approved wisdoms, fidelity and experience have nominated, ordained and appointed, and by these presents do nominate, ordain and appoint you to be our Commissioners for the purposes and services aforesaid. Willing and requiring you, or any four or more of you, Whereof Sir William Russell, Baronet, High Sheriff of our County of Wigorn and Governor of our City of Worcester, Sir John Pakington, Sir Ralph Clare, Sir Rowland Berkeley, Sir Henry Spiller, Sam. Sandys, Ed. Pitt, Francis Smith or Hen. Townsend to be always one to meet and Assemble together from time to time, and to order, determine and settle all matters concerning the premises as there shall be occasion,

First in the Chamber of the Town hall in our City of Worcester, and after at such place and places as you shall think fit in that our County, or as we shall under our hand direct and assign. And to take notes and Remembrances of your Councils and consultations in writing from time to time, and to put your resolutions into due execution, or thereof to give us information from time to time, as you shall see a Cause, that thereupon we may give such further order touching the same as we shall think fittest. In witness whereof we have caused these our Letters to be made patent. Witness ourselves at Oxford the sixteenth day of March in the eighteenth year of our Reign.

(Willis.)*

Charles and his advisers were still crying out for more money, the £3000 a month which the county raised being wholly insufficient. On the 11th April 1643 the matter came up again at the Easter Sessions. Bacon the collector reported to the Court that the £3000 a month was for the most part unsatisfied. It was moved that the £3000 a month be continued for another three months and until a further order be made at the next Sessions, and to this the Grand Jury agreed. But the effect of Massey's raids was felt, for the Grand Jury presented that the outmost parts of the county that were nearest to the danger might be speedily secured by troops of horse and other necessary assistance, and that they might be freed from giving free quarters, hay, or provender without money. They were also desirous that Sir William Russell should account to the Commissioners for the defence of the county how he had spent the money he had received. The presentment is thus given by Townshend:—

p. 337.

Wigorn. SS. The presentment of the Great Inquest at the General Sessions of the peace held for the County of Worcester upon the 11th day of April 1643.

Whereas at the last General Sessions of the peace held for the County aforesaid, It was agreed by the then Grand Jury, that the sum of £3000 should be raised and paid monthly towards the payment of his

* This is struck through.

Majesty's Horses sent and raised for the defence of this County of Worcester, which monies for the most part is yet unsatisfied, as appeareth by a note in writing produced unto us by John Bacon, Gent., Collector appointed by the then Grand Jury, to receive the same, and to pay it over to Sir William Russell, Baronet, High Sheriff of the County aforesaid and Governor of the City of Worcester, as by order made at the Sessions appeareth. And whereas at this present sessions, Motion was made in open Court for the continuance of the payment of £3000 a month for a longer time. Thereupon we of the Grand Jury taking it into our Consideration do think fit the same should still be paid according to the said order for *three months longer and until further Order be taken therein at the next general Sessions* of the peace, by the Justices of the peace and Commissioners for the County. And further we of the Grand Jury do desire, that the utmost parts of the County which lie nearest unto danger, may speedily be secured by Troops of horses, and other necessary assistance, And that we may be freed from giving free quarter, hay or provender without money. And that in assessing of the said £3000 the same shall be assessed according to the taxing of the four hundred thousand pounds by Act of Parliament, and according to the order of the last Sessions. And we also do desire that Sir William Russell may forthwith give an account to the Commissioners for the defence of the County, how he hath disbursed the Money by him received according to the former order, and his Majesty's Instructions.

p. 338.

And whereas it was ordered by the Right Honourable Arthur Lord Capel and the Council of War that the £300 and what other money was heretofore formerly collected or due for horses, Coat and conduct money in this County, and with the putting out of which money Sir Walter Devereux, Sir William Russell and Sir John Rouse were entrusted for the County, which is now due to the County by Bond from Thomas Hill, purveyor, shall together with the Interest thereof owing, he forthwith pay to Colonel Samuel Sandys, towards the payment of his several Billets and debts of his Regiment and the maintenance of his soldiers. And that the said Sir Walter Devereux, Sir William Russell and Sir John Rouse be and stand thereof utterly discharged as by order produced to us appeareth, which said order we approve of, and do desire the same may at this Sessions be so ordered, and that the Clerks of the peace shall deliver up M^r Hill's Bond upon payment of the money unto Colonel Sandys. All which we leave to the Consideration of his Majesty's Commissioners appointed for the safety of

the County of Worcester. And we likewise think fit that M^r Kimberley shall have fifteen shillings out of the five pounds which is in his hands.

The names of the Grand Jury.

Tho. Saunders	
John Darby	Robert Mence
Sam. Randall	Tho. Cartwright
Pil. Kimberley	John Brettell
Wil. Grove	Tho. Bloxam
Tho. Dangerfield	Will. Denn.
Fran. Wythe	
Robert Savage	
Will. Doughty	

With one or two exceptions, such as Grove, Savage, Brettell, the names of the Grand Jurors are even less known than are the names of an ordinary Sessions Grand Jury. This may be accounted for in one of two ways : either the people who were selected by the Sheriff were known Royalists, or the persons selected were friends and neighbours of the Sheriff, Sir William Russell, and would not be inclined to go too closely into his accounts.

There seems to have been some reason for complaint. The £3000 a month was raised to £4000 and 2*d.* in the £ added on. To shew how this was felt by the county Townshend gives the assessments not merely for Halfshire, but for the whole of the Hundreds in the county.

p. 431.

The assessment of the Hundred of Halfshire to the monthly contribution of £4000 per mensem with 2*d.* in the £ on—

Bromsgrove division—	£	s.	d.
Bromsgrove	85	00	10
King's Norton	85	00	10
Feckenham and Hom	71	00	03
Droitwich	62	07	06
Elmbridge	13	09	04
Dodderhill and Wychbold	27	01	06 ob. $\frac{1}{4}$
Tardebigg, Redditch and Benthley	52	06	10 ob.
Norfield	28	05	01 ob.

Cofton	07	00	09 ob.
Salwarpe	21	19	01 ob.
Upton Warren and Cooksey	18	07	07
Hampton Lovet	14	12	00
Doverdale	05	09	04
Hadsor	05	17	02 ob.
Kinton	05	17	08 ob.
Church lench	02	06	02 ob.
Part of Crowle	07	03	09 $\frac{1}{4}$
Grafton E. of Salop	10	00	00

513 06 04 ob.

p. 432.

Kidderminster after the rate of £4000 per mensem with 2^d in the pound added.

Kidderminster Borough	42	08	01
Kidderminster Foreign	49	06	06
Chaddesley Corbett	42	11	08
Belbroughton	38	08	00
Oldswinford and Stourbridge	25	14	08
Stone and Dunelent	10	18	11
Overmitton	03	11	06
Elmley Lovet	14	12	04
Dudley	14	09	04
Cradley	05	01	07 ob.
Worley	05	01	07 ob.
Ludley	02	18	05 ob.
Frankley	10	03	11 ob.
Hagley	12	01	02
Pedmore	05	16	10 ob.
Churchill	02	03	01
Kingford	04	05	01 ob.
Rushock	10	01	06

300 11 05

Under the old assessment of £3000 a month the figures for the two Hundreds of Halfshire and Dodingtree were as follows :—

p. 433.

The Assessment of the Hundred of Halfshire for the third month's Contribution. April 22, 1643.

Bromsgrove division.

							£	s.	d.
64	7	6	Bromsgrove	.	.	.	62	10	0
64	7	6	Kings Norton	.	.	.	62	0	0
53	13	10	Feckenham et Home	.	.	.	51	13	4
38	13	9	Droitwich	.	.	.	45*	13	4
30	12	8	{ Wychbold and Dodderhill	.	.	.	19	12	8
			{ Elmbridge	.	.	.	9	16	0
39	10	0	Tardebigg, Redditch and Bently	.	.	.	38	10	10
26	13	10	{ Northfield	.	.	.	20	13	4
			{ Cofton	.	.	.	5	3	4
16	13	4	Salwarp	.	.	.	15	18	4
13	18	00	Upton Warren and Cooksey	.	.	.	13	6	8
11	02	10	Hampton Lovet	.	.	.	10	10	0
05	0	00	Doverdale	.	.	.	3	17	6
05	0	0	Hadsor	.	.	.	4	2	8
07	0	0	Kynton	.	.	.	4	2	8
03	0	0	Church Lench	.	.	.	1	11	8
07	5	0	part of Crowle	.	.	.	5	3	4
8	0	0	Grafton E. of Shrewsbury	.	.	.	10	00	00
							<hr/>		
							389	15	8
							217	02	01

p. 434.

Kidderminster Division.

Kidderminster Division.						£	s.	d.
401.								
			£32		Kidderminster Borough	.	31	03 6
			37 4 4		Kidderminster Foreign	.	36	07 4
4 month.								
5l. more†	.	.	32 7		Chaddesley Corbett	.	30	15 6
£27 18 00			29 7		Belbroughton	.	27	18 6
			19 10		Oldswinford & Stourbridge	.	18	14 00
			11 0 0		Stone and Dunelent	.	07	15 11
					Overmitton	.	02	12 00
11 8 0					Elmley Lovet	.	10	08 03
15 0 0					Dudley	.	10	08 03
					{ Cradley [Worley, et Ludley]‡	.	03	12 10
11 0 0					{ Worley	.	03	12 10
					{ Ludley	.	02	01 07

* This figure has been altered it appears into a 4.

† Two figures are struck out and undecipherable; it looks as £2 with "£5 more."

‡ Struck out.

7 05 0	Frankley	07 05 05
	Hagley	08 06 03
5 0 0	Pedmore	04 03 02
4 month. 6 0 0	{ Churchill	01 11 02
£1 raised more.	{ Kingford	03 01 07
8 0 0	Rushock	07 05 06
£217 2 1		
199 00 07*		
211 03 8*		
<hr/>		
217 2 1		

p. 435.

Doddingtree Hundred. April 22nd, 1643. £375 charge.

A note of the towns of Oyer and what they pay towards the monthly contribution for his Majesty's service and the safety of the Country. Which Hundred goeth all by Towns of Oyer and a Constable for a Town of Oyer.

1. Abberley which is divided into four parts.

1. Abberley and payeth	£10 08 04
2 4 2 5 4 2	
2. Redmarley and Shelsley Beauchamp	10 08 04
3. The two Lyndons	10 08 04
3 9 5 6 18 10	
4. Alton and Bayton, whereof Alton payeth one part and Bayton two	10 08 04
	<hr/>
	41 13 4

Shrawley town of Oyer is divided into 3 parts.

1. Shrawley	13 17 09
2. Astley	20 16 08
3. Doddenham	06 19 00
	<hr/>
	41 13 04

Mamble is divided into 6 Hamlets.

13 17 10	
1. Mamble and 2 Hamlets	} 20 16 08
6 19 0	
2. Moor and Conniswick, 1 Hamlet	

* Erased.

3.	^{3 9 6} Sned and Ribbesford, 1 Hamlet	.	.	.	.	.	.	.	} 20 16 08
4.	^{5 11 0} Holland in Stildon and Stockton, 2 Hamletts	.	.	.	.	.	.	.
									<hr/> 41 13 04

Whereof Stockton payeth for a Hamlet and the fifth part of a Hamlet with Holland and Stildon.

The town of Bewdley without division £41 13 04
p. 436. £ s. d.

Suckley town of Eyre	41 13 04
Suckley	20 16 8
Cotheridge	10 08 4
Acton Beauchamp	10 08 4

Martley	41 13 4
Martley	27 15 8
Areley Kings	09 05 2
Shelseley	04 12 6

Clifton cum Membris	41 13 04
-------------------------------	----------

Tenbury	41 13 04
Tenbury	16 13 10
Berrington	05 06 06
Sutton Sturmeay	05 15 10
Boccleton	13 17 05

Eastham	41 13 04
Eastham	12 02 08
Stanford	08 14 0
Orleton and Hanley William	07 16 6
Hanley Child	03 09 6
Kyre Wyard	06 01 9
„ Parva	03 09 6

The figures for Blakenhurst and Pershore Hundreds are next given, but it does not appear if for the £3000 or £4000 per month.

p. 437.

Blackenhurst Hundred to the 3 months' Contribution in John Banning's division. £380.

	£	s.	d.	To the king's provision.
Bretforton	14	14	0	2 1 4
Badsey and Aldington	14	06	2	2 0 4
Offenham	10	03	4	1 11 4
North and Mid. Littleton	20	03	8	2 17 0
Church Honeybourne and Poden	20	03	8	2 17 0
South Littleton	09	03	4	1 07 0
Wickhamford	11	05	10	1 14 0
	100	00	00	14 08 0

To the Monthly Contribution.

	£	s.	d.
M ^r Hunt's division	150	6	4
Evesham and Bengeworth	49	6	11
Abbsmorton and Ablench	08	16	2
Sheriff Lench	04	03	5
Hampton Magna et parva	10	12	09
Lenchwick and Norton	13	03	10
Ombersley and Holborough	64	07	03

p. 438.

150 10 4

1626. Pershore Hundred to the Monthly Contribution pays and Blackenhurst Hundred a 3rd part of the County, and subdivided, Blackenhurst pays 1 part and Pershore 3 parts in all payments. And when the King's provision* be £300 Pershore pays £75 as followeth, and so the like in all payments more or less.

		monthly contribution.
Walcot cum membris	3 3 9	31 17 06
Broadway	3 3 9	31 17 06
Comberton magna et parva et Brickleton	3 0 0	20 00 00
Upton Snodsbury and Broughton Hackett	2 14 4	27 03 04
Grafton Flyford and Flyford Flavell	2 10 7 ob.	20 12 06
Eckington and Wollashall	2 16 00	25 00 00
Wick and Pensham	2 06 1 ob.	23 01 05

* In the margin is £375.

Aldermarston	2 05 00	22 10 00
Beoley	2 05 00	22 10 00
Pershore town	2 03 1 ob.	21 11 03
Birlingham and Nafford	1 11 10 ob.	15 18 09
Strensham	1 05 00	12 10 00
Pirton	1 00 7 ob.	10 06 03
Naunton Beauchamp	0 18 9	09 07 06
Pinvin	0 18 9	09 07 06
Defford	0 18 9	09 07 06
Besford	0 18 9	09 07 06
Dormston	0 18 9	
Peopleton	0 15 0	07 10 00
North Piddle	0 15 0	07 10 00
Abberton	0 15 0	07 10 00
Martin Hussingtree	0 11 3	05 12 06
	37 10 0	350 10 ob.

p. 439.

Mr Hichcok's division. £375.

Powick	3 08 9	44 08 01
Leigh and Mathon	5 00 00	60 00 00
Yardley	3 15 0	38 10 00
Longdon and Chaceley	3 07 6	34 07 00
Eldersfield	3 15 00	31 00 00
Bushley, Poole and Queenhill	2 13 09	26 17 00
Castle Morton	2 13 09	26 17 00
Severn Stoke	2 10 00	31 00 00
Malvern magna and Madresfield, Newland	3 08 09	34 15 00
Hanley Castle	2 17 06	28 00 00
{ Stanton	1 10 00	
{ Birtsmorton	1 10 00	30 00 00
	37 10 00	375 14 00

p. 440.

Mr Nicholls. Oswaldslow Hundred. £400.

23 0 8	11 10 4	1 10 4	
Wick Episcopi cum membris, Wichenford and Broadwas .			46 01 04
17 8 6			
Knighton and Lindridge			34 17 00
Claines			30 04 02
8 5 7 8 5 7	16 11 2		
Norton, Stoulton and Kempsey cum membris			33 02 04

Wolverley	22 01 06
Hartlebury	30 04 02
8 12 3 12 0 6 8 12 03 4 6 1	
Holt, Hallow, Grimley and Witley parva	33 10 07
4 9 8 4 9 8 4 9 8	
Spetchley, Cudley, White Ladies Aston, Churchill and	
Bredicot	13 09 10
Battenhall, Whittington, Sidbury	13 09 00
32 10 4 5 8 4 5 8 4 5 8 4	
Ripple, Earl's Croome, Croome Dabitot, Hill Croome	48 15 04
9 2 0 4 11 0 16 6 0 10 18 0	
Welland, Malvern parva, Berrow, Pendock, Holdfast and	
6 16 0	
Estington	47 13 00
Redmarley Dabitot	16 15 06
19 10 0 5 18 6 5 18 6	
Upton super Sabrinam, St Michael, St John's in Bed-	
wardine	31 07 00

p. 441.

£400 0 0. Oswaldslow division of Mr Trimmell.

Inkberrow cum membris	48 00 00
Stock et Bradley	06 10 00
Huddington et part of Crowle	07 15 04
Bredon cum membris	52 00 00
Overbury cum membris	44 10 00
Alvechurch	30 10 08
Stoke Prior	20 05 04
Hanbury	48 00 00
Rous Lench and Hoblench	09 04 00
Throckmorton	11 10 00
Bishampton	09 12 00
Himbleton	09 06 08
Tibberton	08 00 00
Harvington	10 00 00
12 16 12 16 6 8 0	
Fladbury, Hill moor and Wyre Piddle	32 00 00
Elmley Castle	09 05 04
Sedgberrow	09 01 04
Crophthorn	24 00 00
2 10 0 4 10 0 3 10 0	
Oddingley, Wairdon, Hindlip	10 10 00

p. 442. M^r Chapman's Oswaldslow division. £200.

[100 to the Gaol house of Correction and maimed soldiers paid
29th Sept. 1660.]*

Blockley†	.	.	.	.	.	.
Paxford	.	.	.	.	.	.
Cleeve, Icomb, Cutsden	.	.	.	.	.	.
Aston Magna	.	.	.	.	.	.
Ditchford	.	.	.	.	.	.
Draycott	.	.	.	.	.	.
Evenlode	.	.	.	.	.	.
Daylesford	.	.	.	.	.	.

Treddington Home. £100.

Tredington and Tidmington	.	.	.	.	.	.
Shipston	.	.	.	.	.	.
Darlingscott	.	.	.	.	.	.
Armscott	.	.	.	.	.	.
Newbold	.	.	.	.	.	.

At the end of March Massey's superior officer, Waller, "William the Conqueror," came to Gloucester. He defeated the Welsh at Highnam, but was defeated by Maurice at Ripple.

As soon as Maurice moved away, Waller again sallied out from Gloucester. On the 25th April 1643 he carried Hereford by assault. It was an unpleasant surprise to the Royalists. Waller is said to have made all the county people come in and take the following oath :—

p. 310.

Memorandum, at the taking of the City of Hereford Sir William Waller called in the County to take the oath as followeth :—

I, A. B., do swear in the presence of Almighty God that I will defend with my life and estate the King's Majesty's person and both Houses of Parliament now sitting at Westminster and to the utmost of my power maintain and assist the army raised by the authority of both houses, under the Command of the Earl of Essex and will to the hazard

* This in a different hand from the rest.

† 01 08 00 is struck out; no figures are put in for these parishes.

of my life and fortunes oppose all forces raised or to be raised without the consent of both houses of parliament.

So help me God.*

What Waller had done to Hereford he now threatened to do to Worcester. Sir William Russell became alarmed, and at the request of the Commission of Array determined to call out the *posse comitatus*. He therefore, as Sheriff, wrote to the High Constables of the different Hundreds in the county directing them to issue warrants to the Parish Constables to order all men between 16 and 60 to attend on Pitchcroft with such arms as they had or could provide to suppress the rebellion.

Townshend gives the following account :—

p. 311.

Mem. upon consideration taken by the Commissioners for the safety of the County and justices of the peace upon the taking of the town of Hereford [5?] April last by Sir W. Waller and the parliamentary forces and also in respect of the daily plunderings that the forces do within this county, and also expectance of his approach with all his forces, Sir W. Russell, High Sheriff, sent forth his warrants as followeth.

Wigorn. SS. Will^m Russell, Baronet, High Sheriff of the said County, to Francis Smith, gent., one of the High Constables of the Hundred of Halfshire.

Whereas there is information given that there have of late many unlawful and rebellious forces and riotous assemblies been made and are like to continue or rather increase in some parts of the County tending much to the disturbance of the peace thereof, and to the spoiling of his Majesty's good subjects and their estates therein and that certain of the justices of the peace and others his Majesty's Commissioners for preserving the peace of this County taking it into their serious consideration have thought fit to raise the power of the County according to law for suppressing such assemblies, and have directed me as Sheriff to issue forth warrants to that purpose. These are therefore to will and require you, and in his Majesty's name straitly to charge and command you by the Assistance of the Petty Constables within your division to summon and bring in upon Tuesday next being the second of May next

* Another copy of this oath is given on p. 482 of the MS. It is there headed :—

"The form of the oath which Sir W. Waller commands to be taken in Herefordshire after his taking of Hereford city by surrender, copied out May 7, 1643."

to the great Meadow called Pitchcroft near the City of Worcester all

p. 312.

persons Whatsoever within your division above the age of sixteen years and under the age of three score years and able to travel, with such arms or weapons as they have or can provide to join with me and the rest of the justices and Commissioners for securing of this County for suppressing of such notorious Assemblies and Rebellious Forces, whereof they may not fail upon pain of imprisonment, fine and ransome according to the Statute in that case provided, And hereof fail not upon peril of the strictest punishment the law can inflict. Dated at Worcester, this 29th day of April 1643.

To the Constable of Elmley
Lovet.

Will. Russell.

I charge you in his Majesty's name to
execute your office according to the
Warrant above written.

Francis Smith.

p. 313.

To all Constables, Petty Constables and all other his Majesty's loving
subjects within the County of Worcester.

Forasmuch as there are a multitude of armed men come within this County of Worcester and against the City of Worcester, this 29th day to the great disturbance of this County and the hazard of the loss of the said City from their loyalty and obedience These are to command you suddenly upon the receipt hereof and with all haste to summon all persons within 16 and 60 years of age to repair with all such arms and weapons as they have to the City of Worcester to help, assist and defend the said City and County from all opposition whatsoever. And that every person bring with him three days' provision at the least. And hereof fail you not at your perils. Dated this 28th day of May 1643.

Sam. Sandys.

To the Constable of Elmley Lovet.

Wigorn. SS. By virtue of a Warrant to me lately directed from Sir William Russell, High Sheriff of this County, These are in his Majesty's name to charge you that forthwith you provide within your parish one load of Hay, one quarter of Oats, six cheeses, and six loaves of bread and two bushels of Meal, and bring and deliver the same at the Foregate of the relief of his Majesty's garrison within the City of Worcester And if

you perform not your office herein you must expect to be dealt withal as one disaffected to his Majesty's Cause and the safety of the City and County.

Dated this 30th of May 1643.

Fra: Smith, High Constable.

It was no false alarm ; as Waller had served Hereford so he intended to serve Worcester. The next entry gives an account of his attack on Worcester on the 29th June 1643.

p. 314.

Sir William Waller with about 3000 foot and horse of the parliament forces came with eight pieces of Ordnance before the City of Worcester (which holds for the King) upon Monday morning by six of the clock being the 29th day of June 1643 and besieged the same, and shot at it, But the Citizens therein and Colonels Samuel and Martin Sandys with the rest of the Soldiery did so well defend the same, and the * Cannonier in chief with his Cannon from the City together with the Musketeers who all proved good firemen that after 16 hours shooting on both sides which lasted until ten of the clock at night, Sir W. Waller with the loss of some 5 or 6 Captains beside his Commander-in-chief and Sir R. Cocks with 160 soldiers at least slain, beside one barge of maimed Soldiers carried down to Gloucester, did retreat about one of the clock on Tuesday morning towards Tewkesbury. There being lost of the City side 2 men only and 3 women. The City spent that day's service 11 barrels of powder and shot 201 great shot ; Mr W. Berkeley's house at Dinglas [Diglis] near the Castle Hill was enforced to be fired by reason the enemy did by it annoy the City, and so likewise the Friary.

And whereas there were many material things which were to be done and now by experience found most necessary it was thought fit by the Governor and Commissioners that all the trees, hedges, mounds and fences which might any manner prejudice the City and help and

p. 316.

succour the Assailants or enemies and likewise all Houses or buildings be immediately plucked down and levelled, To effect which the ordinary sort of women out of every ward within the City joined in companies and with colours and drums, striking up with spades, shovels and mattocks did begin to work upon Tuesday last being the 30th day of June who were to the number of 400 on a day going in a warlike manner like

* Blank in MS.

Soldiers, and did so behave themselves therein in slighting all such fortifications as were left by the Earl of Essex at his being here, and throwing down of ditches that by their own Industry and free service (in imitation of the She Citizens of London) as they within one week will perfect the levelling of the same *, which was done the rather by them, by reason some of them were killed in the siege (though casually) and also to ease the soldiers, who being weary of the late hot service desiring some rest, and to prevent Sir W. Waller's approach near, if he should return suddenly against them.

The Governor of the City, Sir W. Russell, was at Oxford when the City was beleaguered, and did not return into the City until Tuesday night. Sir W. Waller to induce the citizens unto him there were scattered abroad the streets some papers to the effect as followeth.

p. 316.

29th May.

To all Gentlemen and other Inhabitants within the
City of Worcester.

As many of you as are sensible of the dangers of your Religion, your persons and goods, and the privileges of your Corporation, Are desired to declare yourselves sensible of them at this opportunity, it being my Errand, by the help of God, to rescue them from the oppression of your present Governors, And I promise that all such as shall appear willingly to welcome my endeavours shall be not only received to free quarter, but protected to the utmost of my power.

William Waller.

Upon the departure of Sir W. Waller some troops of Horse went out of the City and took some scattering in the rear to the number of eight, who have confessed, and so have some of their false brethren, that there were many Citizens and likewise Country men in the army that did assist them and did name them in particular, for the assuring of which the Governor sent to attach the persons.

So ended Waller's attack on Worcester. It revealed two things : (1) How unprepared the city was if suddenly attacked. Waller had every chance of taking it, and it was only by good luck that he was repulsed. (2) How little the citizens of the faithful city could be trusted when it came to fighting. What took

* Blank in MS.

place in 1643 was only a foretaste of what took place in 1646. It was impossible to rely upon them.

Neither could the garrison be relied on. It was brought to the King's notice that the pay of the Worcester garrison was in arrear and that they would not fight unless they received it, so on the 15th June 1643 the King, who was then at Oxford, issued the following order :—

p. 334, in another hand.

Charles R.

Trusty and well beloved we greet you well. Whereas we have received information from Worcester that our soldiers for want of pay both horse and foot are many times in great disorders and discontent and for that cause some of them go abroad and commit great spoil and robbery of the goods of many of our good subjects contrary to the law and to our proclamation formerly set forth, And thus by the negligence of our high and petty Constables in their several divisions for not collecting the monthly contribution agreed to be paid for the support of our armies in those parts: These are therefore to require you, three or two of you constantly one day in every week to meet in every hundred within that our County And to summon before you the high and petty Constables of that hundred And weekly to take from them an account of their proceedings and diligence in collecting the said money and to give them directions in what shall be wanting for their better performance of this service. And that you inflict some punishment upon the offenders in this kind as you in your discretion shall think most meet. And further that once every month you certify your proceedings herein to one of our Secretaries, that further order may be

p. 335.

taken for that service if need require. Given at our Court at Oxford this 15th day of June 1643.

Military officers' pay per diem for foot.

	Old pay.			new pay.		
Colonel	2	0	0	00	07	06
Lieut. Col.	1	10	0	00	07	06
Sergeant Major	1	5	0	00	07	06
Capt.	0	15	0	00	07	06
Lieut.	0	04	0	00	04	00

Ancient	0	03	0	00	03	00
Serjeant	0	01	6	00	01	06
Corporal	0	01	0	00	01	0
Com. Drummer	0	01	00	00	01	00
Drum Major	0	01	06	00	01	06
2 6 0 Gent. of Arms	0	01	06	00	01	06
Common Soldier per week	0	04	00	00	04	00

Horses allowed to Officers of Horse to be ready for service
and their new pay.

per diem 3.	Col.	12	.	.	00	15	00
	Capt.	6	.	.	00	15	00
	Lieut.	4	.	.	00	10	00
	Cornet	3	.	.	00	08	00
	Quartermaster	2	.	.	00	05	00
	Corporals	3	.	.	00	03	00
	Trumpeter	1	.	.	00	02	06
	Chirurgeon	1	.	.	00	02	06
	Smith	1	.	.	00	02	06
	To every Common Trooper per week.	.	.	.	00	12	00

16 . 10^s . 6^d per w. per officer 03 15 6

After Waller's retreat from Worcester in May he established his head-quarters at Bristol. He was ordered to advance and, if possible, crush the Royalists under Lord Hertford, then march towards Oxford, join Essex, and with their joint armies advance on Oxford and so put an end to the war. In pursuance of this plan Waller began his advance; he fought a battle at Lansdowne, after which Hertford fell back towards Oxford. Waller followed and occupied Devizes; here he was attacked and routed by Wilmot at the battle of Roundaway Down. This caused the surrender of Bristol, and Gloucester was now the only important place on the line of the Severn that was held for the Parliament, so the Royalists laid siege to Gloucester on the 5th September. Essex raised the siege, and with his army was

supposed to be about to follow the King into Worcestershire. At this point the MS. takes up the story.

p. 316.

The Earl of Essex and his Army came to Upton upon Severn on Monday 11th of September. His Majesty and his Army lay at Evesham and Pershore 12th of September. Both stayed until Saturday morning following, the Earl first going his way; by which the City of Worcester was freed from any assault of him.

There were 700 Soldiers of the prince Charles' Live guard sent thither by Command to defend the City, our own Country soldiers Horse and foot being in his Majesty's Army. The Counties in the Vale side and so upon the River were miserably vexed more by the spoil the Soldiers made, than by the meat the Army consumed.

The King issued the following order to the Commissioners of Array to buy provisions to support his army :—

p. 317.

Charles R.

Trusty and well beloved we greet you well. Whereas we are advanced into these parts with our Army to defend this County against the Army of the Rebels ready to enter into it and destroy it. And whereas we have reason to expect all cheerful and possible assistance from those for whose assistance and defence we are personally present, Our will and pleasure is And we do hereby charge and command you that you send forth immediately your warrants into all parts of this County (The Vale of Evesham only excepted which we reserve for our own quarter And to whom we have ordered that directions be given by warrants from our Commissary of the Victuals to our Army) Commanding them to bring in such a proportion of Bread and Cheese as that the whole may not fail to amount to the value of 50 lbs. in bread and 50 lbs. in cheese by the day. And you are to take care to distribute your warrants and to consider the sums you appoint to be paid by, And the abilities of the several Towns, Hamlets, villages, parishes, Hundreds or other divisions whatsoever, that as much as may be the burden may be equally borne by them, And you are to appoint this Bread and Cheese aforesaid to be brought immediately either to our City of Worcester, or to our magazine in the Townhall of our Borough of Evesham, According as shall be most convenient in respect of the

situation of those places which are to bring in the same to be from thence conveyed to our Camp wheresoever it shall be. And we do hereby command and authorize you to take up by your warrant all such Carts and Teams of Horses and Oxen as shall be necessary for our service in conveying the same to our Camp as aforesaid.

p. 318.

And we signify unto you That we repose so much confidence in your care and diligence herein, That we have given order to the Commissary of the Victualls for our Army to send forth no warrants for any provisions into this County (except only in the Vale of Evesham as aforesaid) And you are to signify to the County that we will take care that they be duly paid for their provisions out of the Estates of such delinquents in this County as by assisting this present Rebellion hath brought this burden upon this County. Our will and pleasure is That you set a strict watch upon all passages and bridges in this County And that you command them to seize all such straggling soldiers of our Army as they shall meet with and cause them to be sent unto our Camp the better to prevent all such disorders as may be committed by them to the prejudice of the County. And that such soldiers as have already committed such disorders and intend to quit our Army to avoid due punishment may be punished as they deserve. Herein fail you not as you tender our service. Given at our Camp at Hihtonhill the 12th of September 1643.

To our trusty and well beloved our Commissioners for our County of Worcester.

Mem. According to his Majesty's letters, the Commissioners met and consulted and agreed that the High Constables in their several limits should apportion it according to the payment of the monthly contribution, But for that his Majesty did on the Saturday after remove away his Army to meet the Earl of Essex and to get between him and London, the warrants were stayed.

Charles followed Essex in his retreat to London and tried to cut him off; in this he was partly successful. This led to the first battle of Newbury.

As to paying his men, Charles required the county and city of Worcester to advance him £7000. This proposal raised fresh difficulties.

p. 319.

Forasmuch as his Majesty lying at Evesham within this County did desire by Sir John Culpepper the loan of £7000 whereof £4000 to be raised out of the City and £3000 out of the County to pay one week's pay for his foot soldiers.

To which the City gave answer that it was too vast a sum in respect of decay of trade of clothing, the weekly burdens and taxes laid on the Inhabitants for making fortifications and scouring the ditches, etc., they could not satisfy his Majesty's full desires yet would endeavour to raise if they could possible £2000 and so taxed every Ward.

The Commissioners on the behalf of the County alledged that so great a pressure have fallen upon the County of £3000 per mensum to maintain a garrison of Horse and foot for 6 months last past, That cattle and provisions are dead and no sale thereof. That there hath been many extraordinary taxes in carrying of Ammunition to Oxford, free quarter of soldiers, and providing of Ammunition, that they cannot lay any general tax upon the County, But they would endeavour to think of some particular persons who were reputed moneyed men heretofore, and others that were able to lend money, of whom they would see what may be raised to make a gross sum, Whercupon letters were sent to divers to attend the said Sir John Culpepper and the Commissioners. In the Interim a new letter came from his Majesty from his camp as followeth.

p. 320.

Charles R.

Trusty and well beloved we greet you well. Whereas we have formerly directed several of our letters to divers of our subjects of good ability in that our County, desiring from them the loan of certain sums of money for the urgent Necessity of our Army, and whereas that necessity increasing upon us We lately sent our right trusty and well beloved Councillor Sir John Culpepper K^t, Master of the Rolls, and our trusty and well beloved servant John Ashburnham Esq^{re} to our City of Worcester giving them power to treat with and give such security as should be sufficient to them, or any others within that our County for such sums as they should agree upon; And all our letters directed to you to assist them therein by your good Endeavours and Example. And whercas thereupon and to that end warrants were issued to those persons to whom our letters were formerly directed, and to diverse others of quality and ability in that our County to appear before them and before you upon the 19th and 20th of September. So it is that at this time by reason of some present necessity of their service we cannot spare the

attendance of the said Sir John Culpepper and John Ashburnham, And therefore our will and pleasure is and we do hereby command and authorize you or any three of you at the time and place before appointed, That you treat with the persons to whom our letters were formerly directed, and to demand from them the loan of such sums of money, as we formerly expressed to them in those our letters, And likewise that you treat with any other persons of ability then appearing before

p. 321.

you or whom you shall think fit to call and summon for the loan of such sums, as you shall conceive them able to send unto us; And that you represent at the full unto them the great wants of our Army and the Absolute Necessity that the same be supplied, as also that all persons who are any ways able and would be believed to be well affected to us and our service do according to their duty and Allegiance contribute to that supply, That you represent unto them the vast sums the Rebels impose upon all persons within their power, and the Horrid and Rigorous Courses they use to force the same to be paid unto them, And that the sums now desired from them are for the necessary support of our Army raised to defend our good subjects from such their Tyrannical and Arbitrary power.

And we do hereby give you full power and Authority to offer unto them and agree with them upon such sufficient security either of any of our Lands in that or the Adjacent Counties, or any other security Real and personal for the sums they shall furnish us withal as to you shall seem meet and equal.

And we likewise Authorize you, that if you shall find any of the persons to whom our letters were formerly directed not to be able to furnish us with so great a sum as is therein desired, That then you accept from them the loan of such sums as you conceive it to be in their

p. 322.

power to spare unto us. And use your uttermost endeavours that the same and all other sums then lent unto us to be paid unto you, and by you conveyed unto us with all possible speed. But in case either they or any other shall refuse to lend unto us upon sufficient security in so pressing a time such sums as you shall conceive them able to spare for the support of our Army and defence of our Crown, We then hereby require you to command them from us and in our name to attend us personally either at our Camp or City of Oxford, That we may at our best leisure examine and enquire into the true grounds of this their refusal. Herein we expect your uttermost diligence, And for so doing

this shall be to you and every of you a sufficient warrant. Given at our Camp at Farrington the 8th of September 1643.

To the Commissioners for the County of Worcester.

Mem.—According to the effect of this letter Many persons of Ability appeared, and did lend his Majesty such Competent sums as they could spare.

And also no manner of money by Gift was accepted but only by loan, though offered.

Neither any man much pressed to more than was very reasonably conceived he could spare.

The need of money pressed heavily on the Royalists. They had failed at Newbury for want of ammunition, and this money could alone procure. Looking round on every side to see from whence money could be obtained, it was recalled that the Grand Jury of Worcestershire in their presentment at the Easter Quarter Sessions, 1643, had agreed to renew the monthly payment of £3000 a month to the King, but had required that “Sir William Russell might forthwith give an account to the Commissioners for the defence of the county how he had disbursed the money by him received according to the former order and His Majesty’s instructions.”* It was possible that one of the reasons of the county’s unwillingness to lend might be that this inquiry had not been carried out; at all events it was now determined to go on with it.

On the 20th October 1643 the County Commissioners brought the following specific charges against Sir William Russell :—

p. 349.

Oct 20th. The Commissioners charge against Sir William Russell to his Majesty.

1. We conceive he hath dealt unfaithfully with his Majesty and the Country in his Accounts.

2. In taking away and delivering the arms of the County to furnish Sir James Hamilton contrary to his Majesty’s proclamation.

* See *ante*, p. 96.

3.¹ The falseness of his late musters, and the not sending 400 armed men to my Lord Capel lately according to my Lord's order and his promise though we gave them a week's pay for the march which money we borrowed.

4.² In plundering and oppressing of many of his Majesty's faithful subjects.

5.³ In passing by others which are conceived delinquents.

6.⁴ For deserting the town of Worcester, when he knew of Sir William Waller's approach.

p. 350.

7.⁵ The committing sundry of his Majesty's good subjects to prison upon pretence of being persons disaffected to his Majesty, and detaining there without giving any particular charge, until they were enforced for their liberty to compound.

8.⁶ In collecting part of the Contribution money, and refusing to give an account.

9.⁷ That he hath lately endeavoured to set his soldiers upon the Commissioners about their pay in a mutinous manner.

10.⁸ The slighting of the Commissioners' orders, And seldom coming amongst us, but when he had some particular business of his own.

11.⁹ His neglect of the fortifications, though the Garrison hath cost the Country £20,000.

12.⁹ His oppression of the country in their carriages keeping them 20 days together, and then returned them home without any service performed.

13.¹⁰ That the great Arrears (which hath been the occasion of the disbanding of many of the soldiers) grew by Sir William Russell's neglect of gathering the Contribution money for the first four months, wherein he lost in Arrear of £6,000 at least.

In the margin opposite each article of charge are given the names of the persons who will prove them. These are printed in the following footnotes in italic:—

¹ *Col. Sandys, Sir Jo. Pakington, Sir John Ments.*

² *Mr. W. Langston, Mr. Hanford, Rich. Inett, Tenants of Abberley, Tenant of Egginton.*

³ *Sir W. Devereux, Mr. Samson the Clerk, Capt. Washbourne's letter.*

⁴ *Mr. John Hughes.*

⁵ *Townsmen of Bewdley.*

⁶ *ut patet.*

⁷ *George Yardley, Rich. Davies.*

⁸ *Vide 19th April order. 19th Sept. for collecting of monies.*

⁹ *ut patet.*

¹⁰ *Vide 19th April order to send a party of horse, ut patet by the book of account.*

p. 351.

14.¹ In returning recusants of the Grand Jury at summer sessions, And in bringing to the last Sessions the Roll of the Grand Jury demanding of the Justices there, what exceptions they could take against any person returned.

15.² His procuring a Certificate from the Chamber of Worcester privately, which the greatest part of his Majesty's most loyal subjects and soldiers of the garrison there did protest against under their hands by petition to his Majesty.

³That Sir W. Russell did persuade my Lord Coventry to make his peace with the parliament.

Sir William Russell replied to these charges by bringing counter-charges against individual Commissioners.

p. 352, *blank*.

p. 353.

Sir W. Russell's charge against Sir Ralph Clare, Col. Sandys, by way of recrimination presented to his Majesty.

1 ob. That Sir Ralph Clare being about Easter term 1642 received into his Majesty's favour, was shortly after made a Deputy Lieutenant for the Militia.

Sol. That Sir Ralph Clare never took out any Commission to execute the Militia, and conceives it can be no crime to have been made a Deputy lieutenant against his will.

Mem. That Sir William Russell in the original did read that Sir R. Clare did take out a Commission for the Militia and not only was made a Deputy Lieutenant.

Ob. 2. That being nominated a Commissioner for the Array never appeared upon the service, albeit he was in the County and took notice of it.

Sol. That he came not into the County until some few days before the last meeting of the Commissioners of Array, and then found the business so disturbed and so declining that he thought his presence for one day would not rectify it.

Ob. 3. That he never lent any money as others well affected have done for the advancing of his Majesty's service.

In the margin:—

¹ *Mr. Badger, Mr. Barnes, Mr. Gower.*

² *Vide petition.*

³ *Query Mr. Dormer, Mr. Rogers, Mr. Lynne.*

p. 354.

Sol. That his fortune never enabled him to serve his Majesty with any loans of money. And when Sir William Russell did advise him to subscribe for the encouragement and example [of] others, he told him withal, that it would never be expected he should pay it.

Ob. 4. That he caused one William Browne to be apprehended for this cause only, that he discovered Delinquents, and persons disaffected to the king.

Sol. That he never caused William Browne to be apprehended much less for the cause suggested.

Ob. 5. That he opposed the payment of Sir John Beaumont's Regiment, who by his Majesty's Command were to receive their pay out of the monthly contribution whereby one half of this Regiment was lost.

Sol.¹ That the opposing of the payment of Sir John Beaumont's Regiment was no more his act than the rest of the Commissioners as appears by the orders made therein, though Sir John Beaumont's men received a fortnight's pay, when Colonel Sandys' soldiers were 3 weeks' pay behind at a time.

Ob. 6. That Colonel Sandys being commanded by his Majesty's letters to march away from Worcester with his horse; and to leave his foot there for the guarding of the Town, did march away both with his

p. 355.

horse and foot. And about one of the Clock at night before his remove he caused 2 pieces of Cannon to be shot off, one whereof was turned towards the Governor's house beside some muskets more discharged, to the amazement of the town and Country.

Sol. That Colonel Sandys conceives the accusation against him properly to a Council of War, where he will be ready to make his defence, and charge Sir William Russell too.

Ob. 7. That to the disturbance of those Regiments, which by his Majesty's Command were to be raised by Sir William Russell, Colonel Sandys contrary to his Majesty's orders for him to march in Sir William Vavasor's Brigade, did stay behind with his Regiment in Worcestershire.

Sol. That Colonel Sandys received orders from my Lord Capel

In the margin:—

¹ *Vide orders 28 July. Letter 1st July to Sec. Nicholas, and 22nd July Sir W. Russell present.*

for the stay of his Regiment of Horse in the Country in the presence of Sir William Russell himself.

Ob. 8.¹ That to the prejudice of his Majesty's service Sir Ralph Clare, Colonel Sandys and others have ordered that no contribution shall be paid without warrant under the hands of six of the Commissioners, whereas by the Order of Sessions and his Majesty's express Order, thereupon their contribution was to be paid to the hands of the said Sir William Russell by reason whereof no contribution hath been paid for three months last past.

p. 356.

Sol. 8. That neither Sir Ralph Clare nor Colonel Sandys nor any other Commissioners did make any order, that the Contribution should not be paid without warrant under the hands of six Commissioners. Neither do they conceive by his Majesty's Instructions that the contributions ought to be paid to Sir William Russell, or that any order they have made hath been an hindrance for the paying in of the contribution.

Ob. 9. That there being in arrear of above £12,000 of monthly contributions due from the County, and his Majesty having given command, and the Grand Jury petitioning that Sir William Russell's Regiment might be paid out of those arrears, Sir Ralph Clare did oppose the paying of those Regiments as before he withstood the payment of Sir John Beaumont's Regiment, whereby the Regiment had disbanded, but that Sir William Russell had maintained them at his own charges.*

Sol. That Sir Ralph Clare with the consent of the Commissioners and justices of the peace at last sessions did think fit only to defer the paying of Sir W. Russell's Regiment until they presented their reasons to his Majesty as by our letters dated to his Majesty 11th Oct. appears.

p. 357.

Ob. 10. That when his Majesty had ordered 400 of Sir William Russell's foot to march speedily to Shrewsbury for the Assistance of the Lord Capel, and that the Commissioners out of the Arrears should pay both the Officers and Soldiers of the Regiment Sir Ralph Clare and

In the margin :—

¹ *Vide order 19th Sept.*

* There seems to have been some difficulty in answering this charge. The two following reasons are given and struck out, and the one in the text inserted :—

Sol. That Sir Ralph Clare and the rest of the Commissioners did meet at the appointed day being time enough to obey His Majesty's commands and my Lord Capel's orders for the marching of Sir William Russell's soldiers.

Sol. That Sir Ralph Clare with the consent of the Commissioners did meet at their appointed day.

the rest of the Commissioners would not meet after 2 days' notice, neither would they allow payment to the Officers, nor but one week's pay to the 400 soldiers that went, and nothing to the rest who stayed in garrison.

Sol.¹ That Sir Ralph Clare and the rest of the Commissioners did meet at the appointed day, being time enough to obey his Majesty's commands And my Lord Capel's Orders for the marching of Sir William Russell's soldiers. And gave upon Wednesday to Sir William a full week's pay for 400 soldiers, to enable them to march the next morning, though they were enforced to borrow the same, but the soldiers marched not until Friday and there were by muster 155.

Ob. 11. That Sir William Russell in pursuit of his Majesty's directions having sent to Bewdley for materials of stone and timber to make Drawbridges at Worcester for Defence of the City, The engineer and workmen and viz. Mr Pratley and others were beaten by Colonel Sandys' soldiers, and the materials taken from them whereby the Drawbridges are not yet made, which otherwise had been finished before this time.

Sol. Of this we never heard any complaint before and therefore can make no answer.

p. 358.

Ob. 12. That his Majesty's Commission having issued out for the discovering of Delinquents' estates, and being sat upon and diverse considerable sums of money thereby found out to acerue to his Majesty, Sir Ralph Clare hath forbidden diverse to appear thereupon whereby the service is hindered and his Majesty therein prejudiced.

Sol. That Sir Ralph Clare never forbad any to appear before the Commissioners for Delinquency, but some having brought unto him pieces of paper without any name subscribed, he told them he did not take those papers for a sufficient warrant.

Upon the whole matter we humbly conceive that this is rather a charge of malice than truth, principally directed against Sir Ralph Clare, of whose fidelity, Industry and diligence in his Majesty's service throughout the whole progress of this Commission we have had great experience. And we have just cause to resent it much, that he should therefore be the more tradueed, because we have laid the greatest burden of the service upon him.

In the margin :—

¹ *Vide order 11th Oct.*

Most of the charges against Sir William Russell had been completely answered, but one thing was abundantly clear, that he and the Commissioners did not and could not agree, so the Commissioners went on with their investigation of his accounts and referred them to an auditor, who gave the following certificate :—

p. 342.

Exceptions against Sir William Russell's Accounts.

1. There is no Controlment upon any the several sums of money with which the said Sir William Russell chargeth himself in his said account. So as the whole Charge is but his own voluntary confession.

2. In his account there are diverse great sums of money paid to Commanders, Officers and soldiers and neither the particular Officers named nor the number of soldiers under every Captain's Command set down; nor the rates which either the Commanders, Officers or Soldiers were to have nor for what time they are to be paid.

3. Sir William Russell produces no warrant for any monies paid by him in his said account.

4. He shews no acquittances for most part of the several sums of money paid by him upon this account.

For which causes under your honours' favours I conceive there can be no legal Account made thereof without your honours shall be pleased to give further directions therein.

William Gwinne, Auditor.

ix November 1643.

These exceptions were probably correct. A Cavalier gentleman, especially one who combined the office of Sheriff of the county of Worcester and Governor of the city, was very unlikely to keep accurate accounts.

Before anything further was done, Charles thought it right to intervene, and sent the following letter :—

p. 343.

A Copy of his Majesty's letters to some Gentlemen for the examination of Sir William Russell's Accounts, etc., to Sir Ralph Clare, Ed. Pitt, Hen. Townshend, Joseph Welsh and Franc. Finch, esquires.

After our hearty Commendations. We have herewith sent you four books presented to us by Sir William Russell as his Accounts of

The said Sir William Russell chargeth himself with the receipt of the several sums of money within mentioned.

until the xvth day of May 1643 for the defence of the said County.

10th With monies by him received of the contribution of £3000 per mensem for the maintenance of the Garrison at Worcester from the first of February 1642 until the xvth of May following, viz., for the month of January £2343 10^s 1^d, For the month of February £2055 17^s 7^d, For the month of March £1361 0^s 0^d, For the month of April £54 1^s 2^d, in all £5813 xviii^s v^d

p. 345.

With monies received from the City of Worcester of that which was £288 13 4 rated by the Earl of Essex and left unpaid.

With monies received from the Clergy of the Diocese of Worcester towards the raising of a troop of horse of Serjeant Major Carr in Sir James Hamilton's Regiment. £270

With monies taken from delinquents in Gloucestershire and Warwickshire. £267

Sum total . . . £12,592 6 2 ob.

Receipts.

With monies received from the Inhabitants of Tewkesbury for the payment of his Majesty's forces for the time they remained there . . . £460

With monies owing for wood, malt, Iron by several persons . . . £109

With money by him received of M^r John Bacon for payment of his Regiment of horse and foot . £1325 vij ij ob.

p. 346.

With money received from delinquents within the County of Worcester . . . £494 6^s

With money received from the Citizens of Worcester . . . £52

To Colonel Hastings' soldiers with
£30 15^s pay, to Sir Andrew Knyne-
ton's quarter master . . . £227 19 9

To Colonel Owen to pay his soldiers £300

To the Lord Chandos and his
soldiers . . . £273 6 10

To Sir Francis Wortley and his
soldiers . . . £538 15

To Colonel Sandys his Regiment
of foot from the tenth of December
1642 until the xvth of May 1643 with
£100 for his horse Regiment . £3137 15 6

To Sir James Hamilton, knight,
and to several Captains and soldiers
within his Regiment . . . £5437 12^s

p. 347.

To Sergeant Major Carr being the
money given by the Clergy of the
Diocese of Worcester for the raising £293
his Regiment with £23 paid him by
this account out of his own monies.

To Colonel Beamond's Soldiers £154 16

The said Accountant
desireth Allowance of
the several sums of
money within by him
paid, viz.

To the Commanders, Officers and
Soldiers of Sir W^m Russell's own
Regiment [£603 *obliterated*] for
Armes 653 1^s 6^d . . . £495 16 5*

To Prince Maurice with £138—paid
to Sergeant major general Woodhouse
for the Prince's life guard . . . £338

To the Lord Grandison's Regi-
ment . . . £29 19^s 6^d

To Edward Searlett Canoneer for
the City of Worcester, and to
mutrosses and others belonging to
the Artillery . . . £68 2^s 11^d

To William Richardson for making
salt petre . . . £152

* Then has been written and struck out: Sum tot. £15907 2 6.

p. 348.

To William Baber, Jane Baber and
James Powell, powder makers . £55 11 5

To several persons for Ammunition
casting and boring of Cannon, for
making of Carriages, To guides, scouts,
messengers, intelligencers and other
disbursements for his Majesty's ser-
vice 798 18 2

£15,901 2 6

And so the said Sir William Russell
by his own account hath disbursed
more than he hath received . £3338 15^s 3^d

Sir William Russell was very desirous that the accounts should be fully gone into, and asked that the persons who had investigated the charges should also investigate the accounts. This was done, and the following certificate given :—

p. 359.

Mem. Sir W. Russell desired us who are to examine his Accounts to make a Certificate what and how far we have gone in the same now at his going away from the Country, which we did as followeth.

At the desire of Sir William Russell, Governor of Worcester, we do certify that we have examined four books of Accounts to us sent by the Lord Treasurer and the Chancellor of the Exchequer containing his receipts and disbursements as he is Governor there being a book of Receipts the first from the tenth of December 1642 till the 15th of May 1643 and the other from the same 15th of May 1643 to the vith of October 1643 and the other 2 books of disbursements being of the same dates. In the examination whereof we have spent 3 weeks and do find all his disbursements to be manifested by acquittance or attestation *viva voce* and for ought yet hath been made appear no more money hath been received by Sir William than what he hath confessed in his receipts mentioned in the same books and it appears by the same disbursements that there is more disbursed than received by £3305 18^s 41^d. But now some of the Commissioners do allege they will speedily send us some exceptions to the said accounts but what they are we know not neither are there any yet come in.

Dec. 9th, 1643.

Franc. Finch.
Joseph Walsh.
Hen. Townshend.

This certificate did not by any means settle the matter. The Commissioners took various subjects to the accounts, and sent in the following paper :—

p. 365.

The Exceptions of the Commissioners against Sir William Russell's two books of Receipts and two of disbursements.

In the first book of Receipts.

Sir William Russell in his first book of Receipts given in, did not express the receipt of £50 from M^r Turvey, but upon examination of the said book, he hath now inserted the said sum, and accounted for the same.

We are not satisfied with the expression of £500 from D. C. without naming of the person, in respect it is possible a greater sum may be received, than acknowledged.

That in or about Lent last Capt. Francis Blunt sent by Sir William Russell with a party of horse, received money in Pershore Hundred, and in part of Oswaldslow Hundred towards Oldbury cum membris which was never brought in nor accounted for (*viz.*) from M^r Parsons, M^r Sutton and others to a great sum.

M^r Walter Sergeant, Major Carr's quartermaster, received in Doddingtree Hundred and thereabouts from Clifton upon Teme and other places £20, and from Martley and place[s] adjacent great sums whereof he paid in but £5.

That about the same time M^r Watkins, Captain Walsh's Cornet, received in the Hundred of Doddingtree and the parts adjacent great sums of money which he never accounted for.

That there was paid by the Constable of Birchmorton to the Sheriff when the party of horse came to their parish £13 12^s 06^d which is not acknowledged.

p. 366.

That no party of horse sent out by Sir William Russell to collect any monies of the monthly contribution did pay in any monies to the Receiver M^r Bacon, Except £5 by M^r Walker, or made any account thereof as upon examination the said M^r Bacon affirmeth.

We are able to justify by sufficient witness¹ that Sir William Russell hath received of Robt. Bartlett of Castle Morton Esq^{re} £60 and John Horniold Esq^{re} an £100 more, both sums being lent or given for his Majesty's service.

In the margin :—

¹ *W. Brand.*

In his first book of disbursements.

Whereas he gives an account of the paying of My Lord Chandos, Sir Francis Wortley, Sir James Hamilton and others great sums of money, We find that he hath left many of their quarters undischarged to the utter undoing of the poorer sort of innkeepers and victuallers, at Worcester and other places who did discharge the same.

Whereas the Clergy gave £293 to raise a troop of horse Sir William Russell paid the same to Sergeant Major Cave, who never mustered horse at all for the service of the County.

All the Captains of horse mustering 40 men were by Sir William Russell paid £50 per week, and when the said Captains made a full

p. 367.

muster of 70 men were paid at £72 the week all dragooners mounted at the rate of 10^s 6^d the week and unmounted at the rate of vi shillings the week which particular pay is of the Troopers, do so far exceed the pay of his Majesty's army, or that allowed to Colonel Sandys, that the sums disbursed might very near have supported the double number of soldiers.

Sir William Russell setteth down paid to Capt. Coft for 42 horse for 20 weeks, according to a rate agreed with him after £50 the week £1000, which is after the rate of 24^s a week for a trooper. The like he allotted to Capt. Walsh, and Capt. Blunt, on their first musters for one fortnight.

Whereas Sir William Russell layeth down £504 7^s 6^d paid to Sergeant Major Henderson, for 40 mounted dragooners and 30 unmounted, at 30^s the week for 13 weeks, Sir William Russell hath overpaid him £114 at that rate. And whereas he seemeth to excuse it, as an allowance to him given, for defraying his charge, in being deputy Governor of Tewkesbury, the acquittance will testify the contrary, as received by him for his company of Dragoons.

Sir William Russell accounteth as paid to Sir James Hamilton's Troop of Dragoons being 70, whereof 20 mounted and 50 unmounted at £30 the week, which is more by £4 10^s the week than their full pay comes to (viz.) 10^s 6^d for 20 mounted, and 6^s for unmounted men.¹

p. 368.

Sir William Russell accounteth full pay for Sir James Hamilton's Regiment of horse and dragoons, during the time of their attendance of his highness Prince Maurice in the forest of Dean, although they had their

In the margin:—

¹ £72 to be discounted,

free quarters and were out of the County 3 weeks. The pay of which time would come by the week for his Regiment, being on muster roll 322 horse according to his allowance £338 per week. And for his Regiment of Dragoons being 370 in pay £161 16^s 6^d a week which amounts to £499 16^s 6^d the week in whole, by which there ought to be discounted for the month absent £1487 16^s 06^d.¹

Sir William Russell hath likewise drawn out of the County by virtue of his warrant, great store of hay, oats and straw for the provision of his Regiment, and prince Maurice's quarters which remain as yet unsatisfied, and hath also received of corn, hay and other commodities, to a great value, from several delinquents, and out of Malvern, Kempsey, Martley and other places not discharged nor accounted for at all, yet he accounteth to have sent to Prince Maurice's quarters £34 15^s for hay.

Sir William Russell hath not put down what number of ordnance and quantity of powder and match hath been made at the charge of the public stock, though he hath laid down great disbursements for the same.

p. 369.	£
(Viz.) To Mr Richardson for making salt petre .	152 00 00
To the powder makers	062 16 00
To the Match makers and for tinder	063 00 00
And since the 1 st of May to the 23 rd of October there	
hath been paid for making salt petre	227 14 06
For making powder	155 01 09
for Hurds £78 19 08, for match makers' pay £57 12 8	136 12 04
In all	795 04 07

And of this only left in the magazine of powder not above 9 barrels, and 10 barrels more in the workmen's hands undone.

In his 2 books of Receipts.

Sir William Russell dates his Receipts from the 15th of May to the 17th of October, and the first receipt of his book begins the 26th of May, yet we find upon examination of Mr Bacon's book of receipts, that Sir William Russell received between the 15th of May and the 21st which he never accounted for the sum of £422 12^s 2^d.² Nor doth he acknowledge the receipt of £120 paid unto him for his 400 men for one week's pay, which he promised to send to my Lord Capel, although we are informed that there came to his Lordship but 151 men.

In the margin:—

¹ £1487 16s. 6d. to be discounted.

² To be discounted £422 12 2, £120 00 00.

¹Whereas Sir William Russell accounts that there is in arrear due unto him in his first book of disbursements the sum of £1972 19 8 we conceive the fault was wholly his own, because the full power of collection was in himself, and that he was desired by the Commissioners to gather the arrears of the first 4 months by a party of horse and had an order for the same,² but did not, leaving unsettled above 2 months pay of the 4,

p. 370.

being 1163 7 2 (viz.) in the first month of January uncollected £626 10 6, in the 2nd month £954 14^s 2^d, in the 3rd month £1636 4 1⁴, in the 4th month £2945 18^s 10^d, the whole sum uncollected for the first 4 months³ being £6163 7^s 2^d besides left uncollected for the part of the month of May until the 15th day thereof, which is the last day of his first book of Receipts £1500 more.

Sir William Russell accounts the soldiers pay by the week after 7 days to the week, for every Trooper, which we conceive he ought to account by the month 12 of which months should make the year, according as the County gave their contribution, by which account of his he gains one week's pay in every quarter, which for the Regiment of horse being 322 according to the rate of £72 a full Troop, and 370 dragoons mounted and unmounted at £170 the week amounteth to £508.⁴

In his 2nd book of disbursements.

Sir William Russell doth make no abatement for the weekly pay for those companies of soldiers which were sent to Gloucester siege though the county sent in full provision for them,⁵ neither doth he abate for the number of 400 men which he undertook to send to my Lord Capel, during the time of being in service with his Lordship. But forasmuch as we are uncertain what time the soldiers were in other places, we

p. 371.

cannot set down the extent to be discounted though it amounts to a great sum, until we receive information from the Lord Capel and Sir William Russell.

⁶In particular we except to the greatness of pay which every Captain demands for himself and his under officers, being full pay, whereas his

In the margin :—

¹ £1972 19 08.

² 19th April order.

³ Unsettled in the 4 months and for a fortnight in May £1500 00 00, £6163 07 02.

⁴ £508 to be discounted.

⁵ 12 barge-ladings of provisions sent down to Gloucester.

⁶ Lieut.-Col. 01 15 0. Sergt.-Major 01 04 0. Captain 00 15 0.

Majesty's allows but half pay to the officers in chief at most. Whose officers' pay comes to the sum of [*blank*].

We except against Lieut.-Col. Derby his demands of pay being from the date of his Commission the 18th of May, and so for his Lieut., Ensign and sergeants, for 19 weeks pay seeing he had no Company until the 10 of October last, which same accounteth to £308 15^s 00.¹

We except against all his Captains' particular musters, for that when Sir William Russell undertook to send 400 well armed men to my Lord Capel, and received a week's pay for the same, he sent only 151 men, in which we presume, he would not have failed could he have made good that number, and of those not above 80 well armed, the rest being Club men, as Sir John Mynne informed some of us, who was commanded by the Lord Capel, to take their muster and receive them.

Sir William Russell hath now ready in his own company as he informeth us 82 men besides officers, yet it is evident upon his muster roll delivered in by the Captain Lieut. Harris, that he hath but 71 men, beside officers.

p. 372.

Sir William Russell accounts 10^s per diem for a quartermaster general for his Regiment and City, the which we except against, not having at all to do with any officer belonging to the said city, so that he accounts double pay and ought to discount (*viz.*) the sum £50 15^s 6^d at the least.²

Sir William Russell allegeth that he lost 80 muskets taken out of his house, when Sir William Waller was before Worcester, for the defence of the City, for which he [*two words obliterated*] price £64, and chargeth the said sum in his disbursement we do conceive we ought not to be charged with the said sum, assuring ourselves they were part of the 788 muskets by him bought and accounted for at the charge of the county.

³ Sir William Russell chargeth himself for arming his soldiers with 788 muskets bought 22 pikes, 100 clubs, 49 pistols and 11 carbines, yet all his captains acknowledge the receipt from him of 158 muskets, besides some four pikes, and that they have now 135 muskets remaining, so there remains in his custody 630, out of which his own company, and Lieut. Col. which are 168 men supposed to be armed and all musketeers there will remain to be accounted for 462 musket.⁴

Whereas

In the margin :—

¹ £308 15s. to be discounted.

² £50 15s. 6d. to be discounted.

³ 788 muskets, 049 pistols, 011 carbines, 100 clubs, 012 pikes. ⁴ 462 muskets.

p. 373.

Whereas Sir William Russell accounteth from July the 12th to September 8 to Captain W^m Walsh's troop £131 10^s paid, we know not that any such troop was raised, or did any service for this county: and he also accounteth £48 paid to Captain Francis Blunt, for the raising and paying of a Troop of horse, though we never heard of the raising and mustering of any such troop of horse.

Whereas Sir William Russell setteth down in his 2 books of disbursements £1587 10s., for the payment of his troop of horse, being as we conceived the County troop, yet divers of the Commissioners, as Sir John Winford, M^r Talbot and M^r Townshend's servants, with some other gentleman's servants are unpaid above 34 weeks, he neither undertaking for their quarters nor caring for any other means of subsistence for them, as the troops affirm.

The County did send in great quantity of provision for the making of a magazine in the City of Worcester, in case a siege should be laid to the same, all which provision have been disposed of by Sir William Russell as Governor without any consent of the Commissioners. And hath distributed a great part thereof among his Regiment, allowing nothing for the same to the County in account, by which means the whole County is much abused and the magazine totally exhausted.

There are no signatures to this paper, and nothing to shew by whom it was made. But as it is stated in the certificate that some of the Commissioners propose to send exceptions, and as the document is headed "The exceptions of the Commissioners," it is probably the production of some of the following: Sir John Pakington, Sir Edward Sebright, Sir Ralph Clare, Sir John Rouse, Sir Henry Spiller, Sir Roland Berkley, Sir John Windsor, Samuel Sandys, Edward Pytts, Thomas Savage, Sherrington Talbot, John Keith, Edward Dingley, Francis Finch, Edward Vernon, Thomas Childs, Joseph Walsh, William Jeffreys, James Littelton, Henry Ingram, and Martin Sandys. The Commissioners were divided into two parties, each most hostile to the other, the adherents of Sir William Russell, who represented the south of the county, and those of Sir Ralph

Clare, who represented the north, and this document appears to have been the work of Clare and his friends.

The next document is not addressed to anyone by name, and only speaks of the books "by your honours submitted," but it gives in detail the items in the books to which exception was taken, the totals of which amount to £8,471 10s. 2d.

p. 375.

Right Honourable,

In obedience to your Honour's command we whose names are subscribed have diligently perused the 4 books of accounts to us by your honours submitted containing the receipts and disbursements of Sir William Russell, B^t, as Governor of the City of Worcester, and Sheriff of this County for the year last past. And wholly employed and entrusted by his Majesty for the making of the said Receipts and disbursements until the 15th of May past, for this City and County. The which 4 books of accounts with our observations therein together with the Commissioner's exceptions, against the books in all humbleness we now Tender to your honourable consideration.

In the first book of disbursements we find he hath laid down these

To Sergeant Major Bushell, April 2 nd	.	003	00	00
To him more, April 29 . . . .	.	010	00	00
To Captain Henry Healinge . . . .	.	003	00	00

Which sums we think fit to be allowed him.

He produced likewise 2 Acquittances under the hand of Sergeant Major Henderson for the sum £85, which said sum was not entered into the said book, The said acquittance being locked up in a Trunk, as his servant Thomas Pritchard affirmed and not till of late found; which said sum we hold not fit to allow him, in respect the acquittance do testify the said sum was paid towards the payment of his said Sergeant Major's company of Dragoons, whereas it doth appear he was overpaid (beside this £80) the sum of £114 for his said company of Dragoons by the said Sir William Russell.

We find that for all the particular disbursements made in this book either he produceth acquittance or some of his servants or agents by him employed do testify the same.

That about the midst of January 1642 as Sir William Russell affirmeth Sir James Hamilton mustered 70 horse before the Lord Herbert and

himself; and that few days after he mustered 70 dragoons 20 mounted and 50 unmounted.

That December 29th 1642 Sir William Russell mustered his own Troop being 70 horse.

That Sergeant Major Cave although he received from Sir William Russell of the Clergy Contribution £293 for the raising of a Troop of horse, yet the said Sergeant Major never raised but 25 horse with the said money.

p. 376.

That Captain John Blunt mustered 45 horse before Sir William Russell and Sir James Hamilton the 30th of December and within 10 days after he made a full muster of 70 horse.

That Captain Joseph Walsh mustered before Sir James Hamilton and Sir William Russell Jan. 2nd 42 horse and within one fortnight after he made a full muster of 70 horse.

That Captain George Colte mustered before the Lord Chandos, Sir James Hamilton and Colonel Sam. Sandys 8th December about 42 horse.

That Sergeant Major Henderson mustered before Sir James Hamilton and Sir William Russell Feb. 10th 70 dragoons 40 of them mounted and 30 unmounted.

That Captain Francis Blunt mustered before Sir James Hamilton and Sir William Russell Jan. 6th an 100 dragoons mounted.

That Sir William Russell mustered his own company of Dragoons Jan. 10th being 70 in number, 20 mounted and 50 unmounted.

That Captain Dennis mustered before Sir James Hamilton and Sir William Russell Feb. 12th 60 dragoons 15 mounted and 45 unmounted.

That Sir William Russell affirmeth he paid to every of the said force those rates following that is to say. To every Trooper 17^s 6^d per week, to every mounted dragoon 10^s 6^d per week, to those unmounted 6^s per week. And yet when any captain mustered between 40 and 70 horse they demanded and he paid them £50 per week, and when they made full muster to the number of 70 he paid them £72 per week which is above 20^s a man and horse per week, and according to which rate the troop of Sir James Hamilton consisting of 70 horse for 17 weeks cometh to £1224 00^s 00^d.

And his company of dragoons being 20 mounted and 50 unmounted at £30 per week, the rate agreed with him by Sir William Russell, for 16 weeks cometh to £480 0 0 the sum total both for horse and dragoons £1704 of which he hath received £1496 13^s 0^d whereof there is to be discounted for 7 case of pistols which he bought £24 10^s 00^d, so his arrears due are at the rates aforesaid £207 6^s 6^d.

That Sir William Russell's Troops being 70 horse for 18 weeks at £72 per week cometh to £1296 and his company of dragoons being 70 men whereof 20 mounted and 50 unmounted at £27 per week for 17 weeks cometh to £459.

p. 377.

The sum total of horse and dragoons being £1755 of which he hath received £1073, remains to him in arrears at the rates aforesaid £682 00 00.

That Captain John Blount for his troop being 45 horse, for one fortnight at £50 per week, and afterwards for 16 weeks more at £72 per week cometh to £1252, whereof received £789 6^s 00^d, remains to him in arrears £462 14^s 00^d.

That Captain Joseph Walsh for his troop consisting of 42 horse for one fortnight at £50 per week and afterwards 70 horse for 16 weeks more at £72 per week cometh to £1252, whereof received £811, remains in arrears £441 00 00.

That Captain George Colte's Troop of 42 horse for 20 weeks at £50 per week at rate agreed with him by Sir William Russell cometh to £1000, whereof received £74, remaining in arrears £296 [*sic*, ? 926].

¹That Sergeant Major Henderson for his 70 dragoons 40 mounted and 30 unmounted at £30 per week a rate agreed with him by Sir William Russell for 13 weeks cometh to £396, but he hath received £504 07 06 which is an £114 07 06 more than his pay.

That Captain Francis Blount for 150 men, from the 4th of December to the 6th of January at 6^s a man per week being 6 weeks cometh to £237 18 00 and afterwards for an 100 of the said men being mounted dragoons for 18 weeks at 10^s 6^d per week cometh in all to £945, whereof received £843 00 00, remains in arrears £339 00 00 more due to him for muskets £006 16 00.

¹That Captain Dennis his 60 dragoons 15 of them only being mounted for 13 weeks at the rates aforesaid cometh to £279 3^s 6^d, but he hath received £288 14 0 so he is overpaid 009 10 06.

In the first book of his receipts, we find that he had omitted the setting down of £50 received by him the said Sir William Russell of M^r Edw. Turley of Walcot which same sum Sir William Russell hath now acknowledged and entered into his book.

We are also credibly informed that Sir William Russell hath received from John Horniol, Esq^{re}, a £100 and £60 from Rowland Bartlett, Esq^{re}, which is not acknowledged in this book.

In the margin :—

¹ *To be discounted.*

We find also by the acknowledgment of Sir William Russell that the Inhabitants of Tewkesbury upon delivering up of the said town unto him did compound with him the said Sir William Russell for the sum of *p.* 378.

£500 to free the said Town from plunder, but he saith they paid in unto him only £460 thereof.

That the wood taken by Sir William Russell and accounted for in this book was of very great value, and reported by some of judgment to be worth £900 but the number of tons is not expressed and the much greater part thereof was sold for £45 the reason being as Sir W. Russell affirmeth that the said wood had been taken during wet and was thereby worth little.

That the Malt taken at Tewkesbury, and inserted into this book by the name of some malt was to the quantity of 53 quarters all the said malt being sold at 20^s the quarter.

That the cattle taken in Gloucester siege and expressed in this book by the name of some beasts were not sold as Sir William Russell affirmeth but redeemed by the owners at £29.

That the quantity of bar Iron taken from Mr John Hanbury is not expressed neither is there any account made of the sale thereof excepting of the said ten tons mentioned to be sold in this book, the residue being employed about the ordnance and halls of the City and taken away and disposed of by Sir James Hamilton and other soldiers as Sir William Russell affirmeth, but we have been informed that the said iron was worth between £3 and 400 at the least.

In the 2nd book of receipts we find that it beareth date on the 15th of May 1643 but no receipt therein laid down till May the 26th, yet upon perusal of the Receiver's books being Mr John Bacon and by his acknowledgment it appeareth that Sir William Russell hath received of the said Mr Bacon between the said 15th and 26th of May the sum of £422 12^s 02^d which is not accounted for.¹

p. 379.

¹And also that in the Title of the said book it is expressed that the receipts therein should continue to the 17th of October, according to the second book of disbursements yet we find he concludeth this said book on the 29th of September although he received £120 for the payment of his soldiers on the 11th of October which same sum of £120 is not acknowledged in this said book.

In the margin:—

¹ *To be discounted.*

In the 2nd book of disbursements we find That all the particulars therein entered are justified by acquittance or attested by his servants or agents by him employed.

That he layeth down as bestowed in arms £652 00 0 $\frac{1}{4}$ for arming of his Regiment; which he saith were accordingly divided amongst his soldiers, but it appeareth not unto us that they were so many muskets remaining in his hands to account for.

That Sir William Russell mustered his own foot Company consisting of 56 men June the 10th, and June the 19th he mustered 99 men more, in total of 155 men, The pay of which men for 24 weeks ending December the 2nd at £68 per week (the pay he allowed to all his foot soldiers) cometh to £1132 10^s 00^d, whereof received by him £410 10^s 00^d, remains in arrears £721 11^s 00^d.

That Captain Speneer mustered 77 men August 7th their pay at the rate aforesaid for 17 weeks ending December 4th cometh to £392 14^s 00^d, whereof received £86 12^s 3^d, remains in arrear £306 02^s 00^d.

That Captain Middlemore mustered 93 men June the 24th their pay at the rate aforesaid for 23 weeks ending December 2nd cometh to £636 14^s 00^d, whereof received £290 10^s 00, remains in arrears £346 04^s 00^d.

That Capt. Chasnie mustered 40 men June 26th their pay at the rate aforesaid for 23 weeks ending December 4th cometh to £276, whereof received £129 9 0, remains in arrears £146 11^s 00.

That Captain Hughes mustered 58 men July 26th whose pay at the rate aforesaid for 19 weeks ending December 6th cometh to £330 12^s 00^d, whereof received £162 3^s 4^d, remains in Arrears £168 08 08.

p. 380.

That Captain Sheldon mustered 42 men August 2nd, and August the 16th 32 men more, their pay for both at the rate aforesaid being 16 weeks cometh to £380 08^s 00^d, whereof received £119 03 04, remains in arrears £261 04 08.

That Captain Sparry mustered 43 men October 2nd their pay for 9 weeks at the rate aforesaid cometh to £116 02 00, whereof received £13 06 00, remains in arrears £102 16 00.

That Captain Rumney mustered 56 men July 4th, and July 24 26 men more which at the rate aforesaid unto December 10th being 18 weeks cometh to £490 19^s 00, whereof received £234 9^s 9^d, remains in arrears 256 09 03.

That Captain Moore and Captain Cheyney mustered 48 men June 29 their pay at the rate aforesaid to December 7th being 22 weeks

cometh to £316 16 00, whereof received £198 17^s 00^d, remains in arrears £117 19 00.

That Captain Hanbury mustered 76 men August 2nd their pay at the rate aforesaid to December 6th being 18 weeks cometh to £410 8 00, whereof received £95 19^s 9^d, remains in arrears £314 08 03.

That the total of the foresaid arrears amounteth to the sum of £2741 13^s 10^d.

That the said Sir William Russell demandeth for the Surgeon to his Regiment Richard Addis £1 15^s 0^d per week for 29 weeks (viz.) from May the 18th until December 7th. And so for the Apprentice of the said Addis 10^s per week for the same time both which do amount to the sum of £65 05^s 00^d, of which he hath received £5 0 0, remains in arrears £60 05 00.

That the Surgeon besides the pay aforesaid requireth advance money for his chest.

That the said Sir William Russell demandeth for the pay of a Quarter-master General of his Regiment and City £3 10 0 per week for 29 weeks which cometh to £101 10^s 00^d.

p. 381.

That he requireth full pay for his Lieutenant, Col. Davies, with all his inferior officers from the date of his Commission being the 18th of May and not from the day of his muster being October 5th which is 19 weeks' difference, which according to his pay demanded cometh to £308 15^s and for all the rest of the officers Sir William Russell requireth pay but from the date of their muster the arrears of all the said officers' pay to December cometh to £2444 18^s 06^d at the rates following.

Lieut. Col.	.	.	.	.	.	35 ^s per diem.
Sergeant Major.	.	.	.	.	.	24
Capt.	.	.	.	.	.	15
Lieut.	.	.	.	.	.	04
Ensigns	.	.	.	.	.	03
Sergeants	.	.	.	.	.	01 ^s 6 ^d
Drum Major	.	.	.	.	.	01 6
Drummer	.	.	.	.	.	01 0
Corporal	.	.	.	.	.	01 0

That the said Sir William Russell hath paid in this book from the 27 of May to the 9 of October the sum of £316 to his troop of horse, but what the number of the said troop is we know not, having neither seen the said horse mustered, nor their muster roll, although both were required.

That Capt. William Walsh hath received from Sir William Russell from the 12th of July until Sept. the 8th £131 10^s 0^d for the pay of a troop of horse by him raised, but the number of the said troop we know not, never having seen the said troop, nor yet the muster roll, the said Captain with his said troop leaving this County in September last.

That Captain Francis Blount hath received of Sir William Russell £48 from Sept. 8 until October the 17 for the raising and towards the paying of a troop of horse, but what number they were, or whether at all mustered we know not.

We do find that the contribution of this County and other monies lent for his Majesty's service by any persons of this County until the 15th of May last have been received only by the said Sir William Russell and his officers.

p. 382.

That the said Sir William Russell hath received of the 5 first monthly contributions, (viz.) from January 1st until May 15th the contribution being £3000 per mensum, the sum of £5836 12^s 10³/₄^d so that the arrears of the said months to the 15th of May amounteth to £7663 07^s 1¹/₄^d which said arrears have grown by the neglect of the said Sir William Russell and his officers, who had the sole power to collect the same. And that since the said 15th of May all the contributions have been received by Mr John Bacon appointed Treasurer by the Commissioners for that purpose, excepting such monies which have been gathered by any parties of the said Sir William Russell's horse, which said parties never made any account to the said Treasurer of the sums by them collected as he affirmeth. And therefore until such time the commanders of the said parties shall give in a just account, what and of whom, they have received it is impossible for us to certify what the arrears of the contribution are, as by your honourable command we are required.

That we cannot according to your honourable command give answer what numbers of horse or foot officers the said Sir William Russell hath in his said Regiments in that the officers of the said foot Regiment refuse to muster until their soldiers may have their full pay which for the present we are not able to make (alleging) they cannot draw them together of fear mutinying. And in that we cannot as yet gain the muster roll of the said Horse, neither have seen them mustered, we cannot certify their number, but it appeareth by the Captain's muster roll of the foot Regiment that the said Sir William Russell hath formerly mustered 766 men, besides officers. Yet in the muster roll of Sir William Russell's own Company his Captain, Lieutenant Harries, doth under his hand attest that there were 82 men in the said Company.

p. 383.

But on examination of the Roll we find but 71. And where your honours require us to certify how the number of the said Sir William Russell's soldiers came to be lessened to that we cannot directly answer, only we have been informed that a recent March of 400 of them towards the Lord Capel 250 came away and as their officers say many of them are lost for want of pay. But that the said Sir William Russell hath at any time raised other forces than those before mentioned, we cannot inform your Honours.

We find also that Sir William Russell hath received out of this County into the magazine at Worcester great quantity of corn, bread, cheese and Bacon as by the book of John Child receiver thereof appeareth. And that the said provisions have been issued forth amongst the soldiers of the said Sir William Russell, as appeareth by the book of the said John Child, under the testimony of those officers receiving the same for their soldiers, the particulars so issued are 778 cheeses, 2 beeves and a half, 10 muttons £39 18^s 0^d in bread 517 loaves of country bread.¹ For all which there is not allowance made in Sir William Russell's book of accounts.

We find upon his removing from the Government of this City that he hath left only 9 barrels of powder in the magazine although we have expended £795 4^s 6^d in making of powder as by accounts appeareth.

We find the total of Sir William Russell's receipts

on both books to amount to	£12,615	00 ^s	1 ³ / ₄ ^d
His disbursements on his books are	15,920	18	06
So his disbursements are greater than his receipts by	3,305	18	04 ¹ / ₄
The full arrears of all his foot soldiers at 6 ^d per week			
until Dec. last cometh to	£2,741	13	10
The arrears of his officers in his foot Reg ^t at full			
pay is	£2,444	18	06
Sum total due to him	8492	10	08 ¹ / ₄

p. 384.

But under your honourable favours we conceive the sums hereunder written ought to be discounted by the said Sir William Russell if he shew not good reason for the contrary.

The monies from M^r Horniold and M^r Bartlett if they

were received £160 00 00

The monies to Sergeant Major Henderson more than

his pay £114 07 06

In the margin :—

¹ To be discounted.

The monies to Captain Dennis more than his pay .	£2009 10 00
The monies received by Sir William Russell between May 15 th and 26 th not accountable	422 12 02
The pay for his 400 men going to the Lord Capel October 11 th not accounted	120 00 00
The absence of Sir James Hamilton's Regiment of horse being 322 and his Regiment of Dragoons being 370 for 3 weeks attending his Highness Prince Maurice in the Forest of Dean	1487 10 06
Sir James Hamilton's Regiment of dragoons was paid 4 10 0 per week for 16 weeks more than pay .	072 00 00
The pay required by his Lieut. Col. Dennis and all his inferior officers for 19 weeks before he mustered their company	308 15 00
Sir James Hamilton's Regiment of horse having received double pay after his Majesty's allowance ought to discount	3102 00 00
His Quartermaster's pay being double ought to be abated	050 15 00
The common soldiers paid 6 ^s per week his Majesty allowing but 4 ^s there ought to be discounted . .	1479 00 00
For 64 muskets taken out of his house which we cou- ceive were bought with the country's money . .	064 00 00
	<hr/> 7390 16 02

p. 385.

The officers of his foot Regiment as counting full pay his Majesty allowing but half pay ought to dis- count at least	1000 00 00
The absence of his foot soldiers with the Lord Capel when they had free quarters if not pay	
The absence of his soldiers at the siege of Gloucester for one month where we sent them full provisions	
The provisions taken out of the Magazine	
The free quarters taken by his soldiers in the County and City for Sir James Hamilton's Regiments of Horse and Dragoons and his own Regiments of Horse and foot	
For 40 loads of hay for Sir James Hamilton's quarters notwithstanding he received double pay and for hay to Merdingall the butcher	081 00 00

Captain Brampton affirms Sir William Russell never mustered with more than 40 horse.

Sergeant Major Henderson says Sir William Russell hath set down in his account £213 more than he hath received.

Sum total of the deductions of this account the blanks except, £8471 10^s 02^d.

These accounts throw a good deal of light upon the way in which the war was carried on :—

Royalists enforcing payment of the remainder of the Parliament contributions Essex had levied when he had possession of the city in 1642. Payment by the clergy for a troop of horse. Receipts from delinquents for fines imposed by Parliament not only in Worcestershire, but in Gloucestershire and Warwickshire. Payments from the city of Worcester and Tewkesbury. Not less interesting are the outgoings: Prince Maurice, the Cannoneer, Matrosses and others of the City Artillery, for making saltpetre. To three powder makers. For ammunition casting, boring cannons, making carriages, paying guides, scouts, messengers, intelligence and others.

Still more interesting are the objections made to the accounts. If they are to be believed, whenever soldiers were sent out to enforce payment of contributions or on active service, the whole of the money they got did not come into account.

When Russell gave up the Governorship of Worcester at the end of 1643 it is said that, although he had spent £795 4s. in making gunpowder, he only left nine barrels in store.

His accounts shew that the Governorship was not a profitable office. His receipts had been £12,615 0s. 1³/₄d., his payments £15,920 18s. 6d., leaving a balance due to him of £3305 18s. 4¹/₄d. But the objectors proposed to bring him in a debtor to the amount of £8471 10s. 2d., leaving a balance against him of £5165 11s. 10¹/₂d.

Russell's accounts conclude the documents for 1643.

CHAPTER VI.

1644.

Sir Gilbert Gerrard, who at the end of 1643 succeeded Sir William Russell as Governor of Worcester, did not find his position an easy one. It was not so much keeping off the enemy, for the Royalists, but for Massey's raids, were practically masters of the county, but the difficulties were how to raise enough money to pay the troops, how to provide sufficient supplies (1) of food, (2) of arms and munitions. Added to this, the continued squabbles of the Cavalier gentry with each other.

Townshend begins his account of the year with the following document dated 1644, but obviously, from the marginal notes, of a much later date, prophesying the ruin of the county, which purports to be taken from a Latin MS. in the library of Trinity College, Cambridge.

p. 131.

1644. A prophecy of Gritnerus concerning these times taken out of the Latin manuscript in Trinity College Library in Cambridge.

¹ 1. In his predictions he describeth the troubles of Russia, election of Sigismund the Swedish king to Poland by which he irrevocably lost his own inheritance.

¹ 2. That of the Swedish usurper's race there should be one Gustavus Adolphus by name should enter Germany with a small army, roll into a mighty force, fight many battles prosperously but at the last in a pitched field should perish.

That about that time should reign another Rex Septentrionalis nomine Carolus,² qui ducet in uxorem Mariam papisticam, ex quo evadet regnum omnium *infelicissimus*. ³Tunc populus ipsius dicionis eliget alium sibi *Regem Comitem* qui durabit in imperio tres annos aut eo circiter, et postea idem populus eliget alium regem equitem⁴ non ejusdem familiæ

In the margin :—

¹ *Past and true.* ² *Beheaded 30 Jan. 1649.*

³ *S. X. Essex. 42 to 44.*

⁴ *For X.*

nec honoris,¹ qui detundet omnia sub pedibus suis aliquando longiore tempore et post hanc nullum. Paulo post apparabit quidam Carolus ex Carolo descendens ab immensa classe in litus dictionis patris sui et cum auxiliariis Danencis, Suedicis, Franciciis, et Hispaniis prosternabit adversarios suos et administrabit imperium suum perfelicissime et erit Carolo magno major.

On the 5th January the monthly contribution was levied on Elmley Lovett for the sum of £10 8s. 3d.

p. 339.

Jan. 20, 1643. An Assessment made for the 8th and 9th monthes Contributions in the parish of Elmley Lovett, being after £10 8^s 3^d per mensam.

Henry Townshend, Esq ^{re}	.	.	.	.	02	00	00
M ^{rs} Cicely Brace	.	.	.	.	00	09	06
John Lench, gent.	.	.	.	.	00	09	06
John Bourne	.	.	.	.	00	15	00
John Acton	.	.	.	.	00	05	00
Edw. Best, Clerk	.	.	.	.	00	14	04
Mr Nath. Tompkins, Clerk	.	.	.	.	00	01	06
Rich. Wolloston	.	.	.	.	00	03	10
Anth. Acton	.	.	.	.	00	02	06
Tho. Tyrer	.	.	.	.	01	00	00
Walt. Insoll	.	.	.	.	00	03	06
John Barnard	.	.	.	.	00	03	04
Fra. Gittens	.	.	.	.	00	02	00
John Stower	.	.	.	.	00	03	04
Charles Bacon	.	.	.	.	00	02	08
John Linden	.	.	.	.	00	04	00
Widow Manning	.	.	.	.	00	02	08
John Hanbury	.	.	.	.	00	00	10
John Tipper	.	.	.	.	00	02	08
Lewis Palmer	.	.	.	.	00	03	04
John Best, sen.	.	.	.	.	00	03	00
Anth. Best	00	01	04
John Best, jun.	00	01	06
Elizabeth Ince	00	01	08

p. 340.

John Ince	00	01	08
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In the margin :—

¹ *Fairfax, Dec. 31, 1644.*

Joan Best	00	02	06
Tho. Ballard	00	00	10
Jo. Smith	00	05	06
Tho. Williams	00	05	00
Tho. Moule	00	06	00
Humfrey Thatcher	00	03	04
Joan Barnesley	00	01	04
Edm. Smith	00	02	00
Cha. Haywood	00	05	00
Jo. Puller	00	01	04
Edm. Ryall	00	06	10
Tho. Cammell	00	03	04
Tho. Burnell	00	01	06
Tho. Gardner	00	00	10
Tho. Burton	00	01	06
Fra. Webley	00	00	10
Walt. Perkes	00	00	10
Wm. Mate	00	00	10
Margery Hunt	00	00	08

The County contribution of £3000 a month was not sufficient to satisfy the demand for money, so steps were taken to raise more. On the 8th February 1644 Rupert arrived at Worcester ; on the 10th a meeting of the Royalist officers was held to consider the matter. The very simple expedient of temporarily raising the county's monthly contribution from £3000 to £4000 was adopted. As this was one of Prince Rupert's first administrative acts in the county, it is not to be wondered that he was not popular.

The following is the order issued :—

p. 445.

At the Townhall within the City of Worcester on Saturday
the 10th of Feb. 1643.

1. It is ordered by his highness Prince Rupert with the consent of the Commissioners and the County that the Contribution of the County shall be raised to £4000 per mensem to continue only for the 10, 11 and 12 months, and after to return to the former rate of £3000 per mensem the one half in money and other half in provision at the County's choice.

2. It is further ordered by his highness with the consent of the Commissioners that with this contribution 2000 foot and 500 horse shall be maintained for the better safety of the County and City.

3. That the County and City shall be no longer subject to any free quarters or billet of or for any horse or foot soldiers (otherwise than for a night as his Majesty's forces pass through) without present payment for the same in money, nor any soldiers whatsoever quarter without an express Order from his officer in chief who shall be answerable for the damage sustained by his soldiers to the party suffering.

4. And in case any soldier shall attempt to force his quarter without Orders, they shall be brought before the Governor of Worcester or the next Garrison and there shall be liable to a Council of War.

p. 446.

5. That no officer shall press or take any horses by his own power, And that hereafter there shall be no plundering of horses, cattle or goods, nor violence offered by any of the King's soldiers to men's persons for defending their own, And if any soldier shall presume to commit any such violence that restitution be made to the owners out of the weekly pay and Martial law executed upon the offender according to the quality of his offence: for which purpose a Council of War shall sit weekly at Worcester, And that it shall be lawful for all his Majesty's loyal subjects to assist one another for the suppressing of such forces and the apprehending of the persons to bring them to punishment.

6. That the Petty Constables of every parish shall pay in weekly the monthly contribution for the 10, 11 and 12th monthly payments (according to the Assessments to the Treasurer of the County).

7. And if any Captain, Officer or Soldier shall fail to pay his billet, then the Treasurer for the County shall deduct out of his pay so much money as may satisfy his quarter by the knowledge and Consent of the Commissioners.

8. That all those who shall voluntarily arm themselves for his

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Majesty's service and the defence of the County and City shall have liberty so to do and shall be assured their arms shall not be taken from them, giving in a list of their names and arms.

9. That no parishes which are allotted to any Garrison shall be chargeable to send labourers to make the fortifications of any other Garrison unless by special Orders from myself.

10. That for the ease and security of all the Inhabitants of this county the rates of the provision for this County which are or shall be

from time to time sent in for and lieu of the one half of the Contribution money shall be according to these rates following.

Hay per tod	iiij ^d
Oats per strick	xviiij ^d
Peas and beans per str.	vj ^s
Grass per horse	ij ^s vj ^d
Straw per load	v ^s
Cheese per Cent. after 2 ^d ob. the best	
The other for 2 ^d per pound.	
Butter per pound	iiij ^d ob.
Bacon per pound	iiij ^d
Beef per pound	ij ^d

11. The horseman and his horse is to be billeted for 8^s per week and to have a peck of Provender by the day for his horse. The foot soldier is to be billeted for ij^s vi^d the week.

p. 448.

12. That no free quarter or billet shall be taken by or for any horse or foot soldiers in any Garrison town, parish or house within this County (except house room and such fire, candle and salt as they of the family use for themselves) without payment for the same in ready money according to the rates. And that no more soldiers be billeted in a house than the said house will conveniently receive.

13. No quartermaster shall quarter any person in any house without the assistance of the Officer of that place nor that no women, boys nor children be allowed quarter without consent of the master of the family.

14. That all those parishes, villages and houses within the County who have quartered any soldiers of the Lord Chandos and Sir William Vavasour or any under their Command, or have sent in hay, oats or other provisions to their several quarters shall draw up particular bills of quarter and damage, and restitution shall be made by Sir William Vavasour.

15. That if any parish or person shall make default of payment weekly either in money or provisions according to their tax, that such parish or person upon return of their names by the Constable to the Officers in chief of the garrison to which such contribution shall belong

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and to the Treasurer are desired and have liberty to send forth parties of horse or foot to distrain or collect the same provided that no person

be liable to query any such person but only such persons as make default and are delinquents therein.

16. That all provisions to be delivered in by this order and agreement shall be delivered at the city of Worcester on every Saturday and town of Evesham and garrison of Hartlebury every Monday to the hands of the Commissioners to that purpose appointed by the Governors thereof who shall keep books wherein shall be set down what is paid in money what in provisions.

Rupert Pr.

Let this be published in all parishes and public places within the County.

The additional £1000 raised the monthly contribution of Elmley Lovett from £10 8s. 3d. to £14 7s. 4d. The following is the first assessment on the new rate made for March 1644 :—

p. 308.

March 4th 1643. £4000 per mensem Contribution on the County for 3 months.

An Assessment for the 10th, 11th and 12th monthly Contribution in the parish of Elmley Lovet being after 14l. 7s. 4d. per mensum.

	£	s.	d.		£	s.	d.
Hen. Townsend, Esq ^{re}	2	15	4	Thomas Ballard	.	0	1 2
M ^{rs} Cecily Brace	.	0	13 0	John Smith	.	0	07 10
John Lench, Gent.	.	0	13 0	Tho. Williams	.	0	06 08
John Bourne, Gent.	.	1	02 0	Tho. Moule	.	0	08 00
John Aston, Gent.	.	0	06 8	Humph. Thatcher	.	0	04 5
Ed ^d Best, Clerc.	.	1	00 8	Joan Barnesley	.	0	01 9
Nathaniel Tomkyns,				Edmond Smith	.	0	02 8
Clerc.	.	0	02 0				
Rich. Wollaston, Clerc.	0	06	10b.	Charles Harwood	.	0	06 8
Anth. Acton	.	0	03 10	John Puller	.	0	01 9
Tho. Tyrer	.	1	06 08	Edmond Ryall	.	0	09 10b.
Walter Insoll	.	0	04 05	Thom. Cammell	.	0	04 5
John Barnard	.	0	04 05	Tho. Bunchill	.	0	02 4
Fra. Gittins	.	0	03 0	Tho. Gardyner	.	0	01 10b.
John Stower	.	0	04 0	Tho. Burton	.	0	02 6
Charles Bacon	.	0	03 6	Fra. Webley	.	0	01 10b.
John Lyndon	.	0	05 4	Walt. Perkes	.	0	01 02

3^d; wheat and rye straw per thrave 8^d. Hay per cwt. 1^s 8^d. Beef per pound 2^d; cheese per pound 2^d. Butter per pound 4^d. Bacon per pound 3^d.

As might have been expected, the increased contribution did not work very smoothly, so after two months' experience and after its consideration by the Easter Quarter Sessions, Rupert agreed to attend a meeting of the Commissioners to consider the existing orders. This meeting was held on the 6th May, and resulted in the following order being issued :—

p. 450.

Wigorn. SS. May 6th, 1644.

Upon conference with the Commissioners for the said County and at their Request I do order, confirm and allow the ensuing particulars as they are underwritten.

1. That the first division of the County into 3 parts which was presented to me may stand.

2. That no officer of a Regiment be paid more weekly than according to the number of the muster roll and for the more assurance the Treasurer of the Contribution shall receive a copy of the musters, their number and their names and pay weekly due to each Garrison.

3. That the Commissaries of the several Garrisons shall upon every Wednesday account with the Treasurer what sums they have received in provisions weekly, And if upon account they have received more in value than their pay comes to That it may be defaulted out of the next week's pay.

4. That the surplusage of the City Contribution being £100 per month over and above £xx per week payable to the Governor of Worcester for his board may be entirely disposed of for the defraying the charge of the Amount of the Garrison, and officers of the train of Artillery, And that if it fall out that the said £100 per month doth not reach to defray the Emptions of the store of Ammunition and the said officers, that then what the same shall amount unto more than the said £100 shall be paid and made up out of the Contributions of the said County of Worcester by the Commissioners for the same.

5. That all officers and soldiers take care of giving any offence by language or otherwise unto the Commissioners for raising of the Contribution of the said County for that thereby people are emboldened to be backward in their payments.

p. 451.

The King's ministers disheartened and his service disparaged the duty of the Commissioners being completed by the sending forth of their warrants, and no more remaining for them to do.

6. That some of the Commissioners named and appointed by the rest in that behalf in their own persons shall see and view the musters of horse and foot of every Regiment or of any Garrison within the said County, as often as they shall find it necessary, and shall have books of the musters, and that no muster be made or accounted that are not warranted under the hands of some of the Commissioners.

7. That the Rates of the provisions shall extend towards Corn, Barley and Malt, as wheat at 4^s per strike, muncorn 3^s 6^d, Rye at 3^s, Barley at 2^s 4^d, dry Bacon at 5^d per pound, and Malt at 2^s 8^d per strick.

8. That the monthly contribution shall not be diverted from the Garrisons of their County to which it is already allotted for the maintenance of any new officers or forces.

9. That according to my former orders the Contribution money may be wholly brought in to the Treasurer of the County and the provisions to the Commissaries of the several Garrisons weekly, and that if any party of horse or foot shall go forth to collect any sums, they shall take the Constable of the said parish with them, which shall only receive the same and bring it into the Treasurer.

10. That if any parties of horse or foot be commanded out of their several quarters into any other part of this County Those places where they quarter shall discount their billets according to the rates agreed on to the Treasurer of the County in their monthly Contribution bringing a note under the hand of the Commander in Chief, of their number, their charge, and time of stay, And if it fall out the quarter to exceed the monthly contribution, that then the Treasurer shall discharge the same.

p. 452. *Misplaced (sic).*

12. That according to the desire of the Grand Jury at this present Sessions, Those that are willing to appear in his Majesty's cause, and in the defence of the City and County may have leave to arm themselves, and to be captained by such gentlemen of the County, as they shall choose, And shall also be assured by me That they, being listed, their arms shall not be taken from them, nor they compelled to serve beyond the frontiers of this County.

11. That my former orders may be again confirmed which also the Grand Jury of this County have prayed That no officer or soldier in this County shall take free quarter where Contribution is paid, nor shall

refuse to receive the Contribution half in money and half in provision according to the Rates.

13. That so many of the soldiers which are unarmed should be commanded to work daily at the fortifications that they may not be idle, and have their pay for nothing.

14. That at every Council of War any of the said Commissioners for the safety of the said County, may sit in Council with the said officers, and have voices, except in such things as concern discipline, and the punishment of soldiers, or officers for the offence by them committed.

Rupert.

While Rupert was at Worcester Townshend tried to get him to attend to a private matter. In 1641 Daniel Dobbins was Sheriff. In order to find the money to perform the office Dobbins induced Townshend to join in a bond for £200 as a surety for payment. Dobbins assigned to Townshend the right to receive his Worcestershire rents. Townshend had begun to collect these rents, but as Dobbins had turned Roundhead, under Rupert's order confiscating delinquent estates, not only was his collection of rents stopped, but also a payment that Townshend had to make to Mrs. Dobbins towards her support and that of her many small children, all the rents going to Rupert. Townshend was daily pressed by Dobbins' creditors for money, so he asked Rupert to make an order authorizing the balance of what was due on the bond, and a sum for Mrs. Dobbins and her children's support to be paid to himself.

The petition is in these terms :—

p. 649.

To the most Excellent Prince Rupert his Highness.

The Humble petition of Henry Townshend, Esq^{re}, one of his Majesty's Justices and Commissioners for the safeguard of the County of Worcester.

Humbly Sheweth

That M^r Daniel Dobbins being his Majesty's High Sheriff and servant three years since for the County of Worcester; requested your

petitioner to be bound with him in a bond of £200 for the payment of £100 with Interest for his better supportation in his Majesty's service; And for the better enabling your petitioner to discharge the said Bond, the said Mr Dobbins assigned unto him the receiving of his Rents within this County (of which he hath begun to collect some part of the Tenants and paid the same towards satisfaction of the said Bond) before your Highness Commission for delinquents' estates bears date, and a small sum of £10 to the relief and for the alimony of his Wife Mrs Dobbins and many small children upon her petition by Letter. Yet Information being given that the said Mr Dobbins is a delinquent against his Majesty whereby his Lands and Rents are to be sequestered (as your petitioner is informed at your Highness disposing, And the Creditors pressing and calling daily for his money to your petitioner who through these distracted times, and his continual employments

p. 650.

and charges in his Majesty's service for this County is very much disabled. Doth most humbly crave

That your Highness will be pleased to grant leave and Liberty for your petitioner to receive the residue of so much Rents out of Mr Dobbins estate as will discharge the said Bond, with the Interest and the Alimony money. And that the Tenants of the said Mr Dobbins may not be remanded to pay in such sums as your petitioner hath received of them; together with directions to the Commissioners of Delinquents' Estates in this County to approve the same upon Account unto them.

For which your petitioner shall ever pray, etc.

Rupert was pressed for time. He was on his way to the North to help Newcastle and relieve York, and had no leisure for private affairs, however urgent. He left Worcester for Ludlow on the 7th May; but even though so pressed, he was not forgetful of the interests of loyal Cavaliers. On his arrival at Shrewsbury he made the following order on Townshend's petition:—

p. 650.

Shrewsbury, May 9th, 1644. I refer the consideration of this petition to the Commissioners for Delinquents' Estates in the County of Worcester and do require them, that if the Allegations of the said petitioner appear to them to be true in such sort as is therein set

forth, that then they take such further order for the satisfaction of the petitioner as shall be just, And that of their doing herein they give me an Account.

Rupert.

The revised orders as to supplies had hardly a fair trial. Massey on the west kept the county in a perpetual state of raid, and he does not seem to have been averse, or possibly he was unable, to prevent his successful raiders from plundering; whatever was the case there was great difficulty in filling up the Royalist ranks with new recruits, and still greater difficulty getting in money and munitions. Gerrard, the Governor of Worcester, and Sir Roland Berkeley, the Sheriff of the county, had all they could do to carry on. Possibly the military events helped them. On the 3rd June Charles left Oxford, and after various halts on the road reached Worcester on the 12th June. Waller followed, reaching Evesham on the 12th. Charles marched to Bewdley, from whence he sent his orders to Rupert to fight in Yorkshire, the result being Marston Moor. On the 13th Waller followed from Evesham and reached Bromsgrove. Sending his cavalry forward, they plundered the country all round. On the 15th Charles retired from Bewdley to Worcester and thence by Evesham and Broadway to Burford. Waller followed him, plundering on his way. On the 17th he was at Droitwich on his way to Evesham, where he arrived on the 18th, and marched thence to Shipston-on-Stour and came up with the Royal Army at Cropredy Bridge, where he was defeated. Doubtless there was a great deal of plundering on both lines of march by both sides. The Royalists considered they were in duty bound to plunder the "malignants," who considered it was equally their duty to be "avenged on their adversaries." If there was any doubt as to which side any farmer belonged, or if any householder was a Mr. Facing Both-ways, each party considered it their bounden duty to plunder his farm or his house. The result was that

the whole country called out for measures to be taken to stop plundering.

The King seems to have been fully aware of this and of the necessity of dealing with it, but it had got quite beyond his power to do so. He, however, did what he could, and on the 21st July 1644 issued the following proclamation :—

p. 647.

By the King.

A proclamation for the more regular taking of Victuals for the supply of his Majesty's Army.

Whereas we have lately received many and grievous complaints That divers Officers and others belonging to our Army, do frequently without any direction or authority; issue forth their warrants into the Countries through which our Army doth march for several proportions of Victuals, and sums of money to the great oppressions of our good subjects, and hindrance of the supply of our Army, whereby those warrants that are issued by our Commissioners and the Commissaries-general for the Victuals are disobeyed: and our Army exposed to want. We therefore having taken the same into our serious consideration, do, by the advice of our Council of War publish and declare, and hereby straitly charge and command all officers and others of our Army, that they presume not henceforward upon pain of our highest displeasure and such punishment as shall be thought fit to issue, subscribe or send forth any warrants or tickets for any sums of money, provision of Victuals, corn or horse meat whatsoever. And for the better discovery and prevention of the former abuses, our further pleasure and command is, that all warrants henceforward for the provision of victuals, corn, and horse meat, shall be issued by the Commissary-General of the foot, the Commissary-General of the Horse, and our Commissioners for the provision of our Army, who are the proper officers entrusted therewith, And whom We have by our Commissions Authorized to perform the

p. 648.

same: And that due obedience shall be given to their warrants by all persons whom it may concern: This Our pleasure we command shall constantly be published in all places where our Army shall march, and be likewise in our Army that so it may be duly observed and obeyed accordingly.

Given at our Court at Ilchester this 21 of July in the 20th year of our Reign. 1644.

God save the King.

But the matter was past the stage when a proclamation could be of any use. This the gentry felt, and realized that if anything could be done they must do it themselves. A county meeting was therefore called ; it was held at Droitwich on the 22nd July 1644, and the measures that were then resolved to be taken might certainly be called drastic :—

- (1) A limitation on the number of soldiers in the County.
- (2) The county to be divided into certain districts and a district assigned to each body of soldiers, and only the assigned body to be supplied from its own district.
- (3) No free quarters, everything to be paid for.

The number of soldiers in this county was fixed at 1400, 400 horse and 1000 foot. The horse to be under the command of Col. Sandys, the foot under Sir Gilbert Gerrard. The order to carry out these regulations was as follows :—

p. 387.

Lunæ 22^o die Julij 1644 apud Droitwich. Orders then made and established by the right worshipful Sir Gilbert Gerard, knight, Governor of Worcester, Sir Rowland Berkeley, knight, high Sheriff of the County of Worcester; and other his Majesty's Commissioners for the County.

1. That according to the Governor's Orders of the first of this month All the Foot of this County shall be reduced into one Regiment, and that all the Horse and Dragoons shall be reduced into one other Regiment; which said Regiment of Foot shall consist of one thousand; and the said Regiment of Horse shall consist of four hundred; And that there shall be no more Soldiers (other than the said two Regiments) raised and maintained in this County. For that the Contribution monies will not extend to pay more Officers and Soldiers, and defray the charges of the train of Artillery, And that all troopers and common soldiers shall be first paid out of the several allotments before the officers receive their pay.

2. That no foot soldiers shall be quartered in any place within this county without warrant under the hand of the Governor, And that no troop or party of horse shall be quartered in any place within the said County without warrant under the hand of Col. Samuel Sandys. And

that no free quarter shall be taken by any foot or horse of this County of any person that doth duly pay his Contribution Monies. And that

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in case any soldier shall take any free quarter or do rob, plunder, or do any violence to any man's person or goods within this County, That the officer that commandeth in chief shall be answerable and make satisfaction for the same unless he shall bring in the said soldier to the Governor, to receive condign punishment.

3. That the Assessors of every parish shall make their assessments and deliver them to the constables within six days after the receipt of their warrant, And that in case any Assessors shall neglect to do the same, the Contribution monies of that place shall be levied upon them, and that all tenants shall be assessed and pay the Contribution monies, And shall default it out of their rents where they are tenants on the Park, and where the landlord ought to pay the same, And that no persons shall be plundered for their non-payment of the contribution monies until they be first returned to the Governor and his warrant obtained for the same.

4. That Colonel Sandys shall and may collect the arrears of the Contribution monies of the first Twelve months in those parishes and places which were assigned to the Garrison of Evesham whilst he was Governor thereof, and shall pay in to the Treasurer all such monies as he shall collect and receive, to be disposed of by the Governor and Commissioners for the defence of the County.

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5. That the Governor and Commissioners shall meet on Tuesday next at Ombersley, and so every Tuesday after at such place as they shall from time to time agree on.

6. That the Commissioners in their several limits and divisions shall call the old and new Constables before them, and take their accounts, what contribution monies they have paid, and to whom and what is in arrear in every parish and by whom.

7. That the Contribution monies of the 10: 11: 12: 13: 14: and 15th months now in arrear shall be paid in, the one half in money and the other half in provisions at the election of the County at the rates mentioned in his Highness Prince Rupert's Orders, and that no Officer shall refuse to accept the same provisions if brought and tendered at the Garrison which it is assigned.

8. That it shall be lawful for any of his Majesty's subjects and officers to apprehend all such Troopers and other soldiers of this county

as shall be found wandering from their Colours, or quarters assigned unto them by their officer in chief as Felons, and vagrant persons, and disturbers of the peace of the county And to bring them before the Governor or some of the Commissioners that they may be proceeded against according to Martial discipline.

The orders were to be published on the next Sunday after their receipt in each parish. In the notice Rupert had it stated that the contribution anyone had to make might be paid for partly in money and partly in kind at the option of the person making the payment, the price at which the stores were to be taken being fixed in the order. The following is the form in which the orders were to be published :—

p. 390.

Wigorn. To the Constable of Upton Warren and Cooksey.

These are to will and require you that you cause these orders to be published in your parish church on Sunday next as followeth.

That the assessors of every parish upon receipt of their warrants shall with all convenient speed assess the contribution monies for the month or months for which the said warrant or warrants shall be sent ; And that the Constables of every parish shall within 10 days after such warrant sent as aforesaid collect and gather the same, And make payment thereof to such person or persons to whom the same is allotted or appointed to be paid or make due return of the names of every person refusing or neglecting to pay the sum assessed on him for any month, and that every person so returned shall lose his election and benefit of paying the one half of his contribution money for which he is returned in provision but shall pay the same entirely in money to the Captain or officer to whom the same is allotted, who (in case it be paid within the said 10 days or before such return made as aforesaid) is hereby ordered to accept and receive the same the one half in money the other half in provision at the party's choice at the rates

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agreed and according to his Highness Prince Rupert's orders and the orders of the late Quarter sessions: Which are these

Hay per tod	4 ^d	Pease and beans per str.	2 ^s
Oats per strike . . .	18 ^d	Grass per the week .	2 ^s 6 ^d

Straw per load . . .	5 ^s	Bacon per pound . .	4 ^d .
Cheese per pound the best	2 ^d ob.	Wheat per strike . .	4 ^s
The worst	2 ^d	Muncorn per strike . .	3 ^s 6 ^d
Butter per pound . . .	4 ^d ob.	Rye per strike	3 ^s

There is no evidence or statement to shew how far these orders worked, but it is clear they did not put a stop to plundering. The matter again came up at the Michaelmas Sessions 1644, when the Grand Jury made certain proposals to Gerrard and the King's Commissioners on the subject. These proposals were approved and put in force. They are as follows :—

p. 391.

Here are likewise the copies of the propositions which the Grand Inquest for our Sovereign Lord the King did present unto the Governor and Commissioners at the late general sessions for this County and are by them allowed of.

First, that henceforwards all orders made by the Governor and Commissioners may be certain and public, so the County may know what to obey and not to submit to private and cross orders.

Secondly, that no man's goods be distrained or seized upon nor his person imprisoned but by express warrant from the Governor under his hand or 4 of the Commissioners.

Thirdly, that all soldiers either horse or foot may be quartered in the garrison towns or Burroughs of this County and not in the County unless it be upon a march as they pass through this County, and if any violence shall be offered to any of his Majesty's subjects in this County as they pass as aforesaid that every officer unto whom such soldiers shall belong may give satisfaction for the same, or else the party so offending may be brought to condign punishment.

Fourthly, all contribution money may be paid according to Prince

p. 392.

Rupert's orders, half in provision and half in money at the county's choice and that in case any person shall neglect the payment of the contribution assessed upon him, that every person so neglecting may suffer in his person or estate and be at the whole charge of the collection of the same, and that none of his neighbours may be molested nor suffer by quartering who have paid the contribution aforesaid.

Fifthly, that whensoever any person of this County shall be neces-

sitated to defend their persons or estates from the rapine and plunder of the soldiers or other enemies, they may not therefore be called and tried by a Court of War, but by the common law of this land that being the subjects' inheritance according to a late order of the Parliament at Oxford and his Majesty's gracious proclamation therein.

Sixthly, that no strange forces shall continue within this County but upon their march for a night and upon notice given to the Governor or Commissioners the forces of this County shall go speedily and force their removal.

Seventhly, that it may be lawful for all the Inhabitants of this County to deduct out of their monthly contribution all such sums of money which shall hereafter become due for quartering either Horse or Foot.

Lastly, we do also agree that the 19th, 20th, and 21st month's contribution shall continue at the rate of £3000 a month the one half in money and the other half in provision, and to be paid monthly at the

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rates specified in Prince Rupert's orders provided always that these propositions be performed, otherwise the Contribution to cease.

That whensoever any soldiers Horse or foot shall commit any robbery or violence the County may rise upon them and bring them to justice. That the Commissioners are desired from time to time as often as they shall think fit to muster all the Horse and foot of this County and that no officer shall receive pay for any more soldiers than he shall truly muster of his own.

That no soldiers no officers shall send for any hay, corn or provender, but shall pay for the same ready money according to Prince Rupert's orders (unless it be in the parishes which are assigned for their quarters.

Dated the 28th of October 1644.

The assignment of the parishes to the support of the different troops was made in August 1644 ; there is nothing to shew if it was submitted to the Court of Quarter Sessions for their approval or not—probably not, as the Court had no jurisdiction in the matter. The cavalry was divided into seven troops, the Colonel's troop 100, the other six 50 each. It is very difficult to see any principle upon which the division was made except possibly the parishes assigned to the different officer's troops were

usually the furthest from where his local influence lay. Thus Col. Sandys, whose influence was at Evesham, had parishes mainly in the north of the county.

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August 21st, 1644. The names of the parishes assigned to Col. Samuel Sandys' Regiment of Horse consisting of 400, which are divided into 7 Troops, whereof the Colonel 100, the rest 50 with officer's pay.

Pro. Col. Sandys.

Ombersley and old borough	64	07	03
Bromsgrove	64	07	06
Grafton E. of S[hrewsbury]	08	00	00
Alvechurch	30	10	00
Northfield and Cofton	26	13	10
Rushock	08	12	00
Pedmore	05	10	00
Old Swinford and Stourbridge.	19	10	00
Frankley	07	05	05
Hagley	08	06	03
Churchill and Kingford	06	00	00
Doverdale	05	00	00
Salwarpe	16	13	04

Tredington home £100, viz.

Tredington and Tidmington *			
Shipton			
Darlingscott			
Arnescott			
Newbold			
	371	02	00

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Pro. Col. Knotsford.

Town of Eyre of Mamble	41	13	04
Kingsnorton	46	07	06
Yardley	38	00	00
Dudley	15	00	00
Cradley, Wordsley and Ludsey	11	00	00
Wolverley	22	10	06
	192	02	04

* No figures in MS.

Reformatado's troop.

Tardebigge, Redditch, Bentley . . .	38	10	00
North Piddle	07	10	00
Upton Warren and Cooksey . . .	13	18	00
Wick juxta Pershore	15	12	00
Pershore	12	11	07
Hill Croome and Earl's Croome . .	10	16	08
Crophorne, Netherton, Charlton . .	24	00	00
Elmley Castle	09	05	04
Bricklehampton	10	00	00
Birlingham and Nafford	15	18	09
Harvington	10	00	00
Church lench	03	00	00
Hampton magna and parva	10	12	09
Atclench	02	19	00

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Shreeve's Lench	04	03	05
	190	00	00

Sir Rowland Berkeley, High Sheriff, his troop.

Bushley, Poole, and Queenhill . . .	26	17	00
Berrow	16	06	00
Holdfast and Estington	06	16	00
Redmarley Dabiot	16	15	06
Castle Morton	26	17	00
Welland	09	02	00
Pendock	10	18	00
Malvern parva	04	11	00
Upton super Sabrinam	19	00	00
Cotheridge and Howson	11	18	04
Broadwas	11	10	04
Hanley Castle	28	00	00
	188	11	02

Bewdley	41	13	04
Bredon	52	00	00
Overbury	44	10	00
Broadway	31	17	06
Alderstone and Golldicot	22	10	00
	192	10	10

A A

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Sir Gilbert Gerard's troop, Governor of Worcester.

Blockley Home £100, viz.

The town of Eyre of Tenbury . . .	41	13	04
North and Middle Littleton . . .	20	03	08
Church Honiborne and Poden . . .	20	03	08
South Littleton	09	03	04
	191	04	00

Captain Breereton.

Droitwich	38	13	09
Evesham and Bengeworth	50	06	11
Ripple	32	00	00
Eldersfield	31	00	00
Longden and Chaseley	34	07	00
Staunton without Birtsmorton	10	00	00
	196	07	08

1521

Captain Fitter 100 dragoons at 7^s per week.

Beoley	22	10	00
Inkberrow	48	00	00
Feckenham	53	13	10

p. 399.

Upton Snodsbury	22	13	02
The rest to be got out of Warwickshire			
Quarters unassigned	167	02	04
	145	17	04

The foot to be made up 900 in Sir Gilbert Gerard's Regiment whose company is 100.

St Michael's in Bedwardine	05	18	09
St John's in Bedwardine	05	18	09
Wick Episcopi except Howson	21	18	00
Wichenford	11	10	04
Hallow	21	06	06
Grimley	08	12	03
Holt	08	12	03
Town of Eyre of Shrawley	41	13	04
	116	09	08

p. 400.

Lieut. Col. Gerard 100 men.

Town of Eyre of Martley . . .	41	13	04
Town of Eyre of Areley, Suckley } Except Cotheridge	41	13	04
Pinvin	09	07	06
Lenchwicke Norton	13	07	10
Broughton Hackett	04	10	08
Oddingley	02	10	00
	112	07	08

Sergeant Major Bishop 80 men.

Battenhall and Sidbury	13	09	00
Kempsey	16	11	00
Norton	08	05	00
Stoulton	08	05	07
Pirton	10	00	00
Spetchley	04	09	08
White Ladies Aston	04	09	08
Churchill and Bredicot	04	09	08
Throgmorton	11	10	00
Bretforton	14	14	00
	97	04	04

p. 401.

Every Captain 80 men which comes to £16 per week.

£64 per mensem officers complete per week. £8 8^sper mensem £33 12^s . . . £97 12 00

Clifton upon Teme	41	13	04
Lindridge and Knighton	34	17	00
Compton magna and parva	20	00	00
	96	10	04
Town of Eyre of Suckley Except Cothe- ridge	41	13	04
Peopleton	07	10	00
Fladbury Hill and Moore	25	12	00
Wyre Piddle			
Wickhamford	11	05	02
Badsey and Aldington	14	06	02
	26	06	04
Claynes	30	04	02
Martin Hussingtree	05	12	06

Abbot's Morton	04	07	02
Kington	07	00	
Dormston	09	07	06
Rouse Lench and Hoblench	09	04	00
Bishampton	09	12	00
Abberton	07	10	00
<i>p. 402.</i> Huddington and all Crowle	14	05	00
	97	12	10
Walcot cum memb.	31	17	06
Sedgberrow	09	01	01
Grafton Flyford and Flyford Flavel	25	06	03
Severn Stoke	31	00	00
	97	4	10
Hanbury	48	05	04
Tilberton	08	00	00
Kidderminster Borough	32	00	00
Maddersfield	07	10	00
	95	15	04
Himbleton per M ^r Lake	09	06	08
Hampton per M ^r Bacon and M ^r Richard- son	11	02	00
Scarlet keeper of the magazine, 00 10 00 per week.			
Captain Will: Sandys pro Hartlebury Garrison 100 men whole pay to the Captain and for fire for the guard and Chaplain and masons and ironwork.			
Hartlebury	30	04	02
Elmley Lovett	11	04	00
Stone and Dunclett and Overmitton	11	00	00
Chaddesley Corbett	32	07	00
Belbroughton	29	02	00
Stoke Prior	02	05	04
	134	01	06
<i>p. 403.</i> Out of the town of Eyre of Abberley	10	08	04
Kidderminster foreign	37	04	04
Warndon	04	10	00
Croome and Dabitot	05	08	04
Defford	09	07	06

Besford	09	07	06
Pensham	07	16	03
Strensham	12	10	00

	96	12	03
--	----	----	----

Witley Parva	04	16	01
Hindlip	03	16	00
Hadsor	05	00	00
Wychbold, Dodderhill and Elmbridge .	30	12	08
Stock and Bradley	06	10	00
Naunton Beauchamp	09	07	06
Eckington and Wollashall	23	00	00
Malvern parva	04	11	00
Welland	09	02	00

	98	15	03
--	----	----	----

p. 404.

To Mr Richardson the powder maker at £5 per centum for powder.

Powick and Bransford	44	08	01
Malvern magna	30	15	00

To the Match maker Captain Cassin at 3 10 per centum: Match.

Leigh and Mathon	60	00	00
----------------------------	----	----	----

To the officers of the Staff.

Town of Eyre of Abberley except taken

out 10 08 04	31	05	00
------------------------	----	----	----

Such was the scheme. If it could have been carried out in its entirety it might have done much to save the situation. It was, however, doomed to failure. It could only be binding on the Royalists, and there were a number of persons in the county, far more than is generally supposed, who were not Royalists, but quiet persons who only wanted to be left alone. These felt the plundering, and probably became the nucleus of those "Clubmen" who were such a thorn in the side of the Royalists in 1645.

The orders did not satisfy the Cavaliers. They requested the Sheriff Sir Roland Berkeley to call a county meeting to take

steps to put a stop "to the intolerable grievances which the county had so long undergone by the daily incursions, plunders, rapines and murders committed by the forces raised (as pretended) by power of Parliament." The Sheriff did so, and the meeting was held at the Town Hall, Worcester, on the 6th December 1644 at 9 in the morning. The following is the notice calling the meeting :—

p. 463.

At the City of Worcester the 26th of November 1644.

At an especial meeting there, when were present some of the Nobility, the Governor of the said City, the greatest part of Justices and Gentry together with the principal Grand Jury Men and others the Freeholders of the said County. It was by them resolved and directed that a particular and public sessions for the whole body of this County should be summoned and held at the Townhall within the said City on Friday the sixth day of December next by 9 of the clock in the morning. And there unto shall be called and warned, all the Nobility Justices of the Peace Gentry and Clergy; together with all the freeholders and copyholders for lives or years of any lands or tenements of the yearly value of 40^s and upwards to make their personal appearance at the said day time and place to consult and assent to some present and speedy course for the removing of those extreme pressures and intolerable grievances which this County hath for so long undergone by the daily Incursions, Plunders, Rapines and Murders committed by the forces raised (as is pretended) by power of Parliament. It is therefore ordered that notice and warning be given to all the said persons and Inhabitants of this County accordingly. And the Ministers of each

p. 464.

parish to read and publish as the High Constables and Petty Constables are hereby strictly required at their perils fully and punctually to perform their utmost endeavours in warning and reading this order in their several Churches and Chapels throughout this County on Sunday next in the forenoon of that day. And that duly fail not at the same day and place to return in writing the names of all such as they have summoned with the particular answers of every of them. Dated at Worcester the day and year above-written.

Row. Berkeley, Vic.

To the Minister, Constable and Tything men
within the parish of

The meeting was well attended; 21 signed their names, headed by the Earl of Shrewsbury. They arrived at a decision to petition the King to enable the county to "associate" itself with Salop, Hereford, Stafford, Monmouth, and other neighbouring counties, which would make them so formidable a body as would force the enemy into obedience. The petition is as follows:—

p. 767.

To the King's most excellent Majesty.

The humble petition of the Nobility, Gentry, Clergy, Freeholders and others your Majesty's most loyal subjects in the County of Worcester. Agreed upon at a sessions held at Worcester the sixth day of December 1644 with the consent and approbation of the Grand Jury

Humbly sheweth

That during this unhappy war your Petitioners have not felt any wound so deep as those many and undutiful refusals of your Majesty's most gracious messages for peace, whereby your Majesty in the act of greatest piety to your people, suffered the worst contempt, And we (in the height of our hopes) are deprived of any sudden remedy to our present miseries. But as your Majesty cannot be discouraged from presenting your so pious desires, neither can we lose all thought of obtaining a happy treaty by addressing ourselves with a Remonstrance of our calamities to your Lords and Commons now at Westminster.

We humbly therefore desire your Majesty would be graciously pleased to give us licence to follow the example of other counties in this way, that either by accommodation this Kingdom may be restored to its former splendour and happiness, or if so necessitated, draw a resolution by the sword to assist your Majesty, and to redeem ourselves from the insolency and slavery, we already in part suffer, and hereafter in a far larger measure must expect.

p. 768.

With this protestation to the world that with the expense of our lives and fortunes, we will continue still in the maintenance of the protestant religion as it hath been established and practised in the time of Queen Elizabeth and King James of blessed memory against all seditious and factious innovations, as also in defence of your Majesty's person, undoubted rights and prerogatives of your Crown, the just privileges of Parliament, the maintenance of the known laws of the kingdom and the liberty and property of the subject; and to the better effecting of the said our loyal intentions for your Majesty's service and

our own safety, we humbly desire your Majesty that we may put ourselves under commanders of our own choosing into such a condition of defence, as our county may be able to resist invasions, and by associating ourselves with the counties of Salop, Hereford, Stafford, Monmouth, and other neighbouring counties we may rise in so powerful a considerable body as may force our enemies to a due obedience and resettle your Majesty in that throne which must continue sacred against the impiety of all rebellion.

Grand Jury Men.

Hen. Bromley	W ^m Muckley	Jo. Fuet
Tho. Pakington	Jo. Lench	Ed. Davies
Tho. Gower	Jo. Colles	Jo. Newport
Hen. Hackett	Walt. Hill	Jo. Browning
Tho. Burlton	Gilbert Norton	Tho. Wheeler

[Justices.]

Shrewsbury	Rob. Throgmorton	Will ^m Sheldon
George Blunt	Will ^m Habington	Tho. Acton
Tho. Horniold	Gilbert Gerrard, Governor	Rowl. Berkeley, Sheriff
Jo. Pakington	Will ^m Russell	Ralph Clare
Jo. Winford	Martin Sandys	Sam. Sandys
Edw. Dingley	Edw. Pitt	Hen. Ingram
Hen. Townshend	Rob. Wylde	Antho. Langton
Will ^m Canning		

Divines.

Tho. Warmestry	W ^m Panting
Herbert Crofts	Nath. Chalis

It was resolved that the Clergy should petition separately. There were only four of them present; they appointed Dr. Thomas Warmestry, who after the restoration became Dean, and the Rector of Holt, William Panting, to sign on their behalf. The petition was presented to the King at the Court at Oxford by Sir John Pakington and Col. Samuel Sandys.

The meeting also resolved to present a petition to Parliament asking for peace, and drew up the following document :—

p. 771.

To the right Hon^{ble} the Lords and Commons assembled in the Parliament at Westminster.

The declaration and petition of the Nobility, Gentry, Clergy, Freeholders, and others his Majesty's Loyal Subjects of the county of

Worcester agreed upon at a Sessions held at Worcester the sixth day of December 1644 with the consent and approbation of the Grand Jury.

After so sad and sorrowful a view as we have taken of these great distractions that have of late befallen this Church and State, and after so many gracious offers of peace proposed by his sacred Majesty unto you without that effect that was hoped for we hold ourselves now at length engaged in the discharge of our consciences to make this address unto you.

Wherein first we have thought it our duty to put you in mind that you received your authority from his Majesty, and a great part of you your election and designation from your Country; Not that you should either oppress him or destroy us; But that you might assist him by your sage and humble advice for the good both of his Majesty and this Nation, whereby our Religion might have been preserved unto us, not according to the fancies of factious and tumultuous spirits, But according to the rule of God's word; Our peace and Liberty might have been secured, our lives and estates guarded, according to the Rules of Justice, and the known laws of this Kingdom. Without any intention that you should attempt any alteration of the blessed Government of Monarchy which we and our ancestors have for long enjoyed in the confluence of so

p. 772.

many blessings under his sacred Majesty and his Predecessors whose sovereignty as you and we have sworn unto so are we resolved (as we are bound) to maintain with our lives and estates. But being hitherto disappointed of our hopes, and in consideration of this unnatural civil war we have presumed to address our humble petition to his sacred Majesty that we might apply ourselves to you for such your timely compliance with his Majesty as may most tend to the glory of our God, His Majesty's and your own Honours, and the promised prosperity of this so near ruined a nation, And that you would cheerfully receive such propositions for peace as shall be offered to you from his Majesty; otherwise to present such propositions unto him as may extenuate, and not exasperate, such as may become subjects to offer, and a prince to accept, such as may occasion his Majesty's greatest glory to be in you, and your chiefest joy in Him and our greatest happiness in you both. All that we all shall pray will be no more than what you both profess and declare. Viz.

The maintenance of the true protestant religion established in the Church of England, The undoubted rights and prerogatives of the King, The ancient and fundamental laws of the Kingdom (our birthright and inheritance), by which alone we enjoy both our liberty and our property,

etc. And the just and known privileges of Parliament. If our peace

p. 773.

may not be settled by you upon these terms, We are resolved to engage our lives and fortunes (as one man) with his Majesty for obtaining thereof.

It does not appear what reception the petition met with, but, like so many others, it effected nothing.

The King at once answered the Worcester petition. On the 18th December a reply was sent by Secretary Nicholas. It was as favourable as could be expected.

p. 769.

At the Court at Oxford the xvijth day of Dec. 1644. His Majesty having perused and considered this petition together with the other to the Lords and Commons assembled at Westminster hath commanded me to return this answer.

That his Majesty cannot enough express the great sense he hath of the loyalty, courage and affection of the Petitioners, and generally of the County, which as his Majesty himself can never forget, so he doubts not his posterity will remember with the same value and estimation. His Majesty ever well approves and commends the inclination and intention of the petitioners to make an address to those for a blessed and happy peace, by whose consent it may be safely had; It being evident to all the world how solicitously and sincerely his Majesty desires the same, and it not being possible for any prudent man to believe that this condition in which (besides his Compassion and grief of heart for the sufferings and calamities of his people) his Majesty

p. 770.

personally suffers and undergoes such visible and known wants, and difficulties, can be pleasant to him, or that he would submit to it for less considerations than the Preservation of Religion, Law, Liberty, Parliament, Monarchy, without which this poor nation must be brought to the extremest confusion.

His Majesty hopes that this Declaration and resolution of the Petitioners, with whom he doubts not many other counties will associate, and which he particularly and especially recommends to the Counties mentioned in the Petition, will amount to such a publication of the affections and desires of his people, to the same peace which is wished and pursued by his Majesty, That other men who are of different opinions may

be brought to concur with them and therefore his Majesty especially recommends the expediting of this association with all possible and convenient speed, in which they shall receive all assistance and encouragement from his Majesty. And he is to that purpose willing that they put themselves under Colonels and inferior officers of their own choice; and his Majesty recommends to them such field officers as both with reference to their quality and experience shall be necessary for the advancement of so important a service.

Ed. Nicholas.

On the 26th November the Commissioners held a meeting at which they considered the number of assessors for the parish of Elmley Lovett, and reduced them to five.

p. 231, in another hand.

Martis xxvith die Novembris 1644 in the chamber of the Townhall in the City of Worcester.

Sir Gilbert Gerard, Governor.

Sir Rowland Berkeley, Vic.

Sir Ralph Clare.

Sir John Winford.

Edward Dingley

Robert Wylde

Anthony Langston

} Commis-
sioners
present.

Whereas assessors were formerly nominated for the parish of Elmley Lovet for the valuing and assessing every man's estate there by the pound for the more equal payment of the contribution monies of this county: And that is now informed that there are so many named there as do rather breed a confusion than settlement of the business according to the said commissioners' former order. It is therefore thought fit and so now ordered by the said Governor and Commissioners that the number of Assessors shall be reduced to five only. And that Anthony Acton, gent., and Humphrey Thatcher, John Best, sen^r, John Barnard and William Feild shall be assessors there for the more equal assessing, rating and valuing of every man's estate there by the pound, And what the said assessors or the major part of them shall consent unto and agree upon with the consent of M^r Townshend and M^r Leach, Lords of the Manor there shall be reputed and held, and shall stand as the Assessment of the said parish for the payment of the monthly contributions and the extraordinary charges of the constable in and for his Majesty's service and the military affairs of this county. And that if the said

p. 232.

assessors or the major part of them shall refuse and neglect to do their

duties herein the whole contribution shall be laid on them and paid by them for their said contempt: and it is likewise ordered that the said assessors shall give notice to the said parishioners what days, time and place they meet to make and set down the said rates and assessment to the end that all the said parishioners may then and there appear if they so please, and give true information and satisfaction touching the values of every man's particular estate and touching all complaints and objections that may happen in or about the said business.

Copia extracta per Stephen Richardson,

Cleric. Com.

This concludes the documents for 1644. It will have been noticed that although the county saw a great deal of fighting during the year, there is no mention of any of it in the Diary. All the entries relate to the government of the county, and go to shew how great was the burden that had to be borne, especially when it is remembered that the Diary only gives us the burdens imposed by the Royalists and omits all mention of those imposed by the Parliament, which were quite as heavy, if not heavier, than those of the Royalists.

DIARY
OF
HENRY TOWNSHEND
OF
ELMLEY LOVETT.

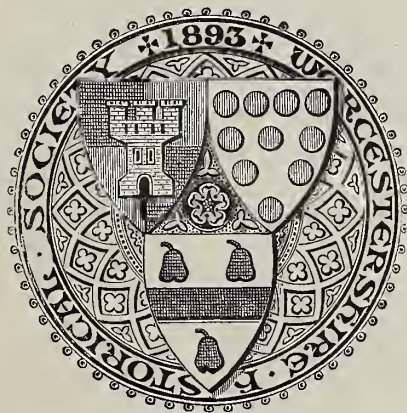
1640—1663.

PART III.

1645—1663.

EDITED FOR
THE WORCESTERSHIRE HISTORICAL SOCIETY
BY

J. W. WILLIS BUND.



Printed for the Worcestershire Historical Society,
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Jan 23, 1918

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CHAPTER VII.

1645.

The question of a union of Worcestershire with adjoining counties for defensive purposes, "associating," as it was called, largely occupied the attention of the county gentlemen at the end of 1644. Quarter Sessions had been held in December at which the proposals were very strongly urged, with the result that a committee consisting of the Earl of Shrewsbury, Sir William Russell, Sir Ralph Clare and Henry Bromley of Holt, who was next on the rota as Sheriff for the county, were appointed to send out proposals to the counties of Stafford, Salop, Hereford and Monmouth asking that representatives might be appointed to meet with a view to enter into an "association." Warwickshire was already associated for the Parliament with Leicester, and Gloucester was far too strongly a Parliament county to entertain the idea of associating with Worcester; even if it had done so, with Massey at Gloucester it would have been quite impossible to have carried it out.

Townshend gives a copy of the invitation sent to Salop :—

p. 775.

The County having received his Majesty's gracious answer at their meeting, Monday the 30th of Dec. 1644. It was agreed by the Bench and Grand Jury, that 4 should be deputed for the County to meet the like number to treat concerning the expediting of the particulars for the Associations in the other invited counties; for this County were nominated John E. of Shrewsbury, Sir W. Russell, Sir Ralph Clare and H. Bromley de Holt, Esq^{re}, elect Sheriff, who sent to the Counties of

Salop, Hereford, Stafford, and Monmouth letters for a general meeting as followeth :—

To the Honourable the High Sheriff and Commissioners for the
County of Salop.

Sir. In pursuance of his Majesty's gracious answer to the petition of this county (the copy whereof is here inclosed sent you) This county hath authorized us to invite you, and other neighbouring shires into such an association as may make our endeavours most considerable to his Majesty's service and our own preservation. That as we owe to him one common duty and have one and the same enemy, so we may enter into one common league to serve ourselves, and if possible to redeem by our assistance and example other counties from the oppressions they groan under. We desire you therefore to procure such

p. 776.

authority to the like number of Gentlemen as we are to treat, And that you would think upon Ludlow as a place of most conveniency on Thursday being the ixth of this instant January for the time for this meeting; or to give us notice if you will determine of any other place or time that we may use such dispatch in this great affair as the necessity and weight of it urgeth. And we shall be ready to dispense with all private interests to attend the Public and manifest to the world how active our loyalty will be to his Majesty's advantage. And how sensible the common Miseries we are involved in make us to shew ourselves

Your servants,

Shrewsbury.

W. Russell.

R. Clare.

H. Bromley.

Worc., 1st Jan. 1644.

A copy of the order of the Sessions authorizing the Justices to treat with the neighbouring counties is then given :—

p. 777. Jan. 7^o, 1644.

Whereas the great inquest at this present sessions have desired that the Right Honourable John, Earl of Shrewsbury, Sir Will. Russell, Baronet, Sir Ralph Clare, K^t of the Bath, and Hen. Bromley, Esq^{re}, now High Sheriff of the said County, would be pleased to meet four of the Gentlemen of every of the Counties of Staffs., Heref., Salop and Monmouth* to treat with them touching the Association to be had of the said counties according to this County's Petition of the 6th day of December

* Monmouth is left out after this.

last and his Majesty's gracious answer thereunto. It is thereupon desired that the said Earl of Shrewsbury, Sir Will. Russell, and Sir Ralph Clare and Hen. Bromley, Esq^{re}, would be pleased to treat with the Gentlemen of the said Counties touching the same. We are hereby authorized by this Court to meet at such time and places as to them shall seem meet; to treat and conclude the said Association as they shall conceive most advantageous for his Majesty's service and preservation of this County:

Fr. Walker, Clerk of the peace
per curiam.

An immediate response was received from the counties asked to form the association. Their first step was to present the following petition to the King :—

p. 779. To the King's most excellent Majesty.

The Noblemen and Gentlemen intrusted for the associating the Counties of Worcester, Salop, Hereford and Stafford

Humbly sheweth—

That we having with a loyal resentment observed your Majesty's authority violated by the insolent Rebellion of a faction, which counties in one confusion and ruin to involve your unquestionable Rights and our liberty, Have (according to your Majesty's order and direction) associated ourselves, with a resolution to venture the last of our lives and fortunes in defence and maintenance of the true protestant Religion as it hath been established and practised in the times of Queen Elizabeth and King James of famous memory against all seditious and factious innovations. And of that power which by all Laws (human and divine) is inherent in your sacred person. And in vindication of Just Privileges of Parliament and of that freedom and propriety which is the subject's best Birthright. And this we have undertaken with the more alacrity and confidence of

p. 780.

success, having had so many royal assurances that your Majesty endeavours by this war only to restore us to that happy condition of peace, which by no gracious invitation of the enemy to a treaty can be obtained. And that during this war your Majesty will order that as near as the necessity of the times can admit our ancient laws shall be observed in force and reputation, For the soldier assuming a liberty to rapine and insolence, hath discharged the subject and thrown him into a confused despair. Seeing the sweat of his most honest labours serve only to rise up disorder and riot, in the interim our Garrisons weakly supplied,

our fortifications neglected, our frontiers laid waste, And in the most inward parts of this County no man's person secured. We therefore to preserve your loyal subjects in more ability and courage for your Majesty's service, And to provide a summary of such able bodies as may continually be supplies for your Militia And to hinder all unnecessary charges of the soldier merely of fortune (which defend and destroy us at once) having resolved (with your Majesty's consent and approbation) to arm ourselves in such a powerful way that we probably believe the Counties shall be secured by their own power, And be in

p. 781.

readiness when your Majesty's occasions shall draw you hither, to have such an army as shall be able to encounter the strongest and most able bodies of your enemies for the effecting of these our Loyal intentions in all humility we beseech your Majesty's assent to these ensuing propositions.

The representatives then proceeded to state the proposals forming the basis on which the association was to rest—Prince Charles (the Prince of Wales) to be General, every man between 16 and 60 to be liable for service. The force thus raised to elect their own officers, but not to be subject to martial law. No billeting soldiers upon them, no more money than was necessary to pay the actual number of men serving to be demanded, rents of all confiscated estates in the area to be used for the public service. The various points are of interest as shewing the evils that pressed most hardly on those who supported the King, and to which they were subjected by the King's officers. The articles are as follows :—

p. 781.

January xith 1644.

Propositions made at a meeting of the Lords and Gentlemen of the Associated Counties of Worcester, Salop, Hereford and Stafford.

1. That your Majesty would be pleased to declare Prince Charles His Highness to be General of these Associated Counties; as well of the Forces to be raised, as of those that are already raised for the service of his Majesty and safeguarding of the County.

2. That every man within every of these Associated Counties from the age of 16 to 60 shall upon summons from the Sheriff appear at such

time and place as shall be appointed. Armed according to his present ability for the purpose hereafter expressed, and whosoever shall refuse to appear shall be declared to be an enemy to peace, his King, and Country.

p. 782.

That the forces so raised for the particular designs of waiting upon your Majesty to demand peace, and for defence of these several Counties may be understood to be in the nature of the Posse Comitatus and may have leave to choose their own Colonels, Lieutenant Colonels, sergeant-Majors, Captains, Lieutenants and other inferior officers. And put themselves in a posture of defence, and may not be subject to the martial law but all offences committed by them may be tried by the Commission of Oyer and Terminer and Commissions of the peace. And that such forces may not be drawn forth of their respective Counties, otherwise than to wait upon your Majesty at such time as all other associated Counties shall appear in one body to attend your Majesty to demand peace, or for the mutual assistance of some of the associated Counties.

4. That * or more of the Gentlemen of every one of these Associated Counties (humbly presented to your Majesty by the respective Counties) may have full authority from your Majesty (in the Prince of Wales his absence) to regulate the forces to be raised upon this associa-

p. 783.

tion and to meet as often as they shall [find] convenient for the service and may have the Honour to be of His Highness Council in all things that concern the said association And also of his Highness Council and Court of War, for the ordering of all differences which may arise between the soldier and the subject in each particular County.

5. That if any of the inhabitants of any of the associated Counties shall be taken prisoner by the Enemy, that there may be power given to exchange them for such persons as shall be taken by any of the associated forces.

6. That the Inhabitants within these associated Counties paying their contribution shall have no free quarter put upon them. And if any soldiers shall come to enforce quarter, or do any other violence or injury contrary to the book of Orders made at Oxford, it shall be lawful for the Inhabitants there to make resistance.

7. That for the encouragement of the payment of the Monthly contribution in every respective County, your Majesty may be pleased to give power and command to the Commissioners for the safeguarding of

* Blank in MS.

each County by themselves or such as they or the greater number of

p. 784.

them shall appoint to take frequent musters of all the soldiers within the several Garrisons of the said Counties, or any of them, and to examine the truth thereof, And that what officer soever shall demand pay for more men than he can bring upon duty may be proceeded against and punished according to the book of Articles for the regulating of your Majesty's army. And that your Majesty would likewise authorize the said Commissioners to appoint Collectors and Treasurers for the receiving and issuing out Contributions. And the Commanders of all the Garrisons within the Association may give particular accounts to the said Commissioners or to such as they shall appoint of all the moneys they or their officers have received either for contribution or fortifications or otherwise for the support of their Garrisons.

8. That your Majesty would be pleased to grant the benefit of all Delinquent's estates within the said Counties for the support of the public service of these several Counties to be received and disposed of (upon accounts) by the said Commissioners or by such as they shall

p. 785.

appoint And that all such grants as have been made to any particular person may be resumed.

9. That your Majesty would be pleased to recall all protections granted to any persons that have any estates in these several Counties and are in rebellion or live voluntary in the enemy's quarters.

10. That no officer or soldier within these associated Counties shall apprehend any person or persons whatsoever or seize any of his or their goods and chattels upon pretence of delinquency unless he bring the person's goods and chattels so seized immediately to the chief garrison of the said County and there make entry of the cause of such seizure in the Treasurer's books of entries and the goods so seized to be disposed of by the Commissioners according to your Majesty's book of Orders and Proclamations for the regulating of the war. And in case any officer or soldier offend contrary to this order, his seizure of the said goods and chattels to be taken as a Theft and Robbery, and the Party so offending to be delivered over to the power of the Common law, there to receive a legal trial for his offence.

p. 786.

11. That it shall not be in the power of any Governor of any of your Majesty's Garrisons, Commander, Officer, or soldier within the said Association to send his or their Letters or warrants to any person or persons

whatsoever for any sum or sums of money, He or they shall please to demand: or to imprison any person or persons till he or they have paid such sum or sums of money demanded of them. And that if any Governor or other Commander or soldier shall take any householder from his own house who lives within these associated counties and pays his Contribution, that the Commissioners may have power to send for any such person or persons from the said Garrison, and cause him to be tried upon any accusation against him by the Commission of Oyer and Terminer, and that such person or persons may not be kept in prison till they be enforced to ransom themselves with money.

12. That for a continuing of a right understanding between the

p. 787.

soldier in pay and the forces thus raised your Majesty would be pleased to declare that if any officer or soldier in pay shall presume to put any affront or insolence upon any Commissioner, Justice of the peace or officer employed in your Majesty's service in this association and safeguarding of the County, the person so offending may [be] held disturbers of the peace of these counties and have such public and exemplary punishment as your Majesty shall be pleased to enable the said Commissioners or the greater part of them to inflict upon them.

The Petition was presented to the King at Oxford. The petitioners could hardly have expected that the King would assent to all their demands. To some he did: they were allowed to form an association for the King's assistance and their own protection; but while the Prince of Wales was appointed General and a number of the points were in appearance accepted, with true Stuart duplicity the concessions were granted in such a way that the King and his officers could evade them at pleasure.

Townshend gives the following account:—

p. 789.

The petition and propositions were presented to his Majesty by the Commissioners of the associated Counties at Oxford, where upon consultation it was resolved by his Majesty that there should be a Commission sent to the several counties of the association, wherein his Majesty gave them power to associate themselves to be the better enabled for his assistance and their own protection, and other gracious powers. The heads of which commission (which is very long) are as followeth.

Commissioners: John Earl of Shrewsbury, Hen. Bromley Esq^r sheriff of the County, Sir William Russell Bart., Sir Ralph Clare K^t of the Bath, Edward Pitt Esq^r,* Commissioners for the association for the County of Worcester.

The preamble.

Whereas our loyal subjects, the noblemen, gentlemen, freeholders and others of our Counties of Worcester, Salop, Hereford and Stafford and cities thereof, out of a true sense of their own and the kingdom's miseries occasioned by the present unnatural rebellion; and a due care of preservation of the reformed Protestant religion, our rights and honour, The privileges of Parliament and the liberty and properties of themselves, etc., have resolved by our leave to put themselves in arms, and as one man to join together and repair towards London and become petitioners to the Lords and Commons at Westminster for a just and equal reconciliation of these unhappy differences, etc., and for settling the peace of

p. 790.

the kingdom again by a good accomodation, etc. And petitioned the Prince Charles, etc., to be their General, And that five or more gentlemen of every one of the associated counties may be authorized by us, etc., and have such powers, privileges as are specified in several propositions annexed, etc.

To any of the 5 Commissioners or 3 of them.

1. Full power to any 3 of the said Commissioners to send their warrants unto the Sheriff of the County and City to summon all persons above 16 and under 60 to appear armed, and to put themselves into a posture to be listed under commanders, And who shall refuse is to be counted an enemy to the King, his peace and country, Notwithstanding which 600 men must be impressed by the 21 of March next.

2. Power unto any 3 Commissioners by the direction of the County to propose unto Prince or Court the names of Colonels, and unto those Colonels power to propose all other inferior officers which being approved by Prince or Court may have their Commissions and the said Colonels in their Commissions to have authority for the impressing of arms.

3. Power to 3 of the Commissioners to list the said officers which shall be raised to be in nature of a posse comitatus and shall not be subject to the martial law, but to the common law or such other laws and ordinances as by the Prince or his etc. shall be made etc. and one of each County present.

* This Edward Pytts, who was not nominated by Quarter Sessions, was the father-in-law of Henry Bromley.

4. That the forces shall not be drawn out the respective counties, but for the mutual assistance of the said associated counties with the consent of 3 of the Commissioners or to wait upon the design of demanding peace together with all other Counties associated for that purpose with one of the Commissioners of each County and convenient strength to be

p. 791.

left in the several Counties, and power to exchange prisoners in the Governor or Lieut.-Governor's absence, and to command in his presence an exchange.

5. For the maintaining of those forces power is given to any 3 Commissioners to make and settle rates for contribution upon all the inhabitants as they shall think fit with the consent of the county and city being thereunto summoned by way of Grand jury or otherwise where the custom is otherwise, and the clergy to pay their rates according to the orders made at Oxford, and to be paid by such ways and means as you shall think fit.

6. That such persons as shall pay the contribution to be raised for this service and such other contribution as is already rated and settled for the maintenance of the other armies shall not have any free quarter imposed upon him but for one night in time of a march and that by express order etc. and if any soldier whatsoever shall enforce any free quarter contrary to the orders made at Oxford etc. it shall be lawful for any inhabitant within the association to make resistance.

7. For the encouragement of the payment of the monthly contributions already settled, such as the Commissioners shall appoint shall take the muster of all the soldiers' pay, And the false musters to be certified, and punished by the Commanders in chief, etc. And by the consent of the County they are to appoint collectors and Treasurers for the collecting and issuing out of contributions And to cause all commanders of Garrisons and others to give an account of any money, plate, goods, chattels or other profit which they have received for or by colour of this war.

8. Power to the Commanders to receive the benefit of all delinquent's estates and fines and compositions to be made with delinquents to be employed for the support of this public service, notwithstanding any grant to any other, or protection to any person, etc. And also the one moiety of all moneys which are or shall be raised by the Excise and by the advice of the Lords and Commons at Oxford to demand the same of the Commissioners for excise.

9. Power to the Commissioners to impose upon all lay and ecclesiastical persons, widows or committees of their lands of wards, such pro-

portions of arms of all sorts as shall by them be thought convenient for them respectively to find according to their several abilities, to be delivered by their discretion to such persons as shall be listed for this service, which are of ability of body but not of estate to provide them, etc. And to examine every inhabitant upon their oaths what arms they have or in any other hands for their use.

p. 792.

Not to take any arms without warrant from you.

10. That it shall not be in the power of any Governor of Garrisons, Commanders, etc., to send his letters or warrant to any person within this association for any sum of money, horses, or other goods. And that no person shall be apprehended by any officer or soldier whatsoever as a delinquent, or person disaffected, unless it be by warrant under the hands of 3 of the Commissioners etc. in the absence of Prince etc. except it be by warrant of some Governor upon extraordinary occasions, and then not to detain above 2 hours, unless they show good cause to the Commissioners.

11. If any householder which payeth contribution within the association be apprehended by any Governor the Commissioners shall send their warrant for him with the cause of commitment to be tried by the Commissioners of Oyer and Terminer, And the goods of any persons shall not be seized but by warrant from the Commissioners, And those to be brought unto the city there to be entered into the book of entries of the Treasurer. And to be disposed for the use of this service. And in case any officer or soldier do offend contrary to this declaration, such seizure of any goods and chattels shall be taken as theft and robbery, and to be proceeded against at the common law as if they were not soldiers of the Army.

12. Wardships to be freed, of any that die or be killed in our service, And if it be for Copyholds or leaseholds, that the Lord of the manor do renew the estate to the wife or child without paying anything. And upon refusal, accounted an unworthy member of his country, And power to such persons by lawful means to enforce them. Instruction to P. C. his Capt. G. Lieut. G. to conform themselves to their advice And in all their other proceedings seriously to weigh their advices.

P.C.—To receive any other counties in this association. Certain place appointed for executing this commission and one of every County at least to be present.

All Mayors, Sheriffs, Justices of peace, Constables, Tythingmen and all subjects to be aiding and assisting to you and all your officers.

All Governors where you shall for this service to receive you and

your attendants and provide for you and them all convenient accomodation during their stay.

Provision of corn, etc., to be had for Garrisons by special warrant, etc., in the owner's own custody, or in custody of the Commissioners for support of the Garrisons, and security of the Enemy, And if the Enemy shall come to be destitute of it.

Oxford, Feb. 11^o Car. 20, 1644.

In order to give the association a fair start, Charles on the 26th February 1645 issued the following proclamation regulating the soldiers in the united counties of Salop, Worcester, Hereford and Stafford, and the cities of Worcester, Hereford and Lichfield :—

p. 799.

By the King.

A Proclamation for the regulating of his Majesty's Soldiers in the associated Counties of Salop, Worcester, Hereford and Stafford, And Cities of Worcester, Hereford And Lichfield.

That there may be a right understanding and a fair carriage between the Soldiers in pay, and the forces to be raised by virtue of the Association of those Counties and Cities : His Majesty doth hereby declare and command, That if any officer or soldier in pay shall presume to put any affront or insolence upon any Commissioner, Justice of the Peace, or officer employed in his Majesty's service, or shall injure any of his Majesty's subjects whatsoever within the said counties or cities, either in their persons or estates, That the person so offending shall be held a disturber of the peace of those Counties and Cities, and have public and exemplary punishment of death, or otherwise, according to the strictest discipline of war, inflicted upon him for the same. And his Majesty doth further declare and command, That if any soldier or soldiers shall be found straggling without a Furlough or Ticket, either from his or their Colonel, or from the Governor of the Garrison, where for that time he or

p. 800.

they do, or shall serve, That every such straggling soldier shall be proceeded against according to the course of the common Laws of this Realm by his Majesty's Commission of Oyer and Terminer, both for so departing from his commander, and likewise for any other offence which he shall then commit (according to the nature thereof) without having any respect to his quality of being a soldier, or under command of the

officers of the army, as unworthy of that name and protection in such a case. And his Majesty doth likewise charge and command by these presents all Commanders in Chief and all Colonels, Governors, and other Commanders and officers of his army, and Garrisons; to publish this his proclamation and by their respective warrants and orders to command a due obedience to be yielded thereunto; And doth also command all his said Commissioners of Oyer and Terminer to be careful of the execution of his pleasure for the peace and quiet of those Counties and Cities, of which he hath deservedly so great a care as they and every of them will answer their neglects at their peril.

Given at His Majesty's Court at Oxford this 26th day of February in the 20th year of his Majesty's reign. 1644.

God save the King.

The association created a great deal of feeling. It led to the formation of bodies among the yeomen and smaller farmers which became known as "Clubmen," and which were fated to give much trouble.

The Sessions did not content themselves with bringing about an association of counties; they tried to get some change made in the existing state of affairs in the county. At the Michaelmas Sessions 1644 they had made a presentment to Sir Gilbert Gerrard, the Governor of Worcester and the King's Commissioner for the county, setting out their grievances and asking for distinct relief.* This they now repeated at the Epiphany Sessions 1645. Townshend gives the following documents as the record of their proceedings:—

p. 489.

Wigorn. SS. Ad generalem Sessionem pacis Imperio Regis tenentem apud Wigorniam pro Comitatem prædictam septimo die Januarii vicessimo Caroli Regis.

Whereas the great Inquest sworn to inquire for the body of the County of Worcester at the general Sessions of the peace holden at Worcester for the County aforesaid the sixth day of October last past then made their presentment to the Right Honourable Sir Gilbert Gerrard, Knight, Governor of the City of Worcester, and to the rest of

* See *ante*, p. 174.

the King's Majesty's Commissioners for the safeguarding of the said County of Worcester in these words (*viz.*).

The grand Inquest for our Sovereign Lord the King being sensible of the miseries of this County are bold to offer unto your Honour and the rest of the worshipful Commissioners these propositions here following (*viz.*).

First. That henceforward all orders made by the Governor and Commissioners may be certain and public that so the County may know what to obey : and not be subject to private and cross orders.

Second. That no man's goods be distrained or seized on, nor his person imprisoned but by express warrant from the Governor under his hand, or four of the Commissioners.

p. 490.

Thirdly. That all soldiers either Horse or foot may be quartered in the Garrison towns or boroughs of this County and not in the country, unless it be upon a March as they pass through the County ; And if any violence shall be offered to any of his Majesty's subjects in this County as they pass as aforesaid, that every Officer [to] whom such soldiers shall belong may give satisfaction for the same, or else the parties so offending may be brought to condign punishment.

Fourthly. All Contribution monies may be paid accordingly to Prince Rupert's order, half in provision and half in monies, at the Country's choice.* And that in case any person shall neglect the payments of the Contribution assessed upon him, that every person so neglecting may suffer in his own person or estate and be at the whole charge of the Collection of the same, And that none of his neighbours may be molested, nor suffer by quartering who have paid the Contribution aforesaid.

Fifthly. That whensoever any person of this County shall be necessitated to defend their persons or Estates from the Rapine and Plunder

p. 491.

of the Soldiers, or other Injuries, they may not therefore be called and tried by a Court of War, but by the Common law of this land, it being every subject's Inheritance according to a late order of the Parliament at Oxford and his Majesty's gracious Proclamation herein.

Sixthly. That no strange forces shall continue within this County but upon their march for a night, and upon complaint thereof made to the Governor or Commissioners the forces of the County shall go speedily to force their removal.

* See *ante*, p. 161.

Seventhly. That it may be lawful for all the Inhabitants of this County to deduct out of their monthly Contribution all such sums of money which shall hereafter become due for quartering either foot or horse.

Lastly. We do also agree that the 19th, 20th, 21st Months' Contribution shall continue at the Rate of £3000 a month, the one half in money and the other half in provision and to be paid monthly at the Rates specified in Prince Rupert's Orders, provided always that these propositions may be performed, otherwise the Contribution to cease. That whensoever any soldiers Horse or foot shall commit any robbery or violence the Country may rise upon them and bring them to justice.

p. 492.

That the Commissioners are desired from time to time as often as they shall think fit to muster all the horse and foot of this County And that no officer shall receive pay for any more soldiers than he shall truly muster of his own. That no soldiers nor officers shall send for any Hay, Corn, or provender but shall pay for the same ready money according to Prince Rupert's order* (unless it be in the parishes which are assigned for their quarters) as is hereafter mentioned.

Hay per tod	iiij ^d
Oats per strike	xviiij ^d
Peas and beans per strike	ij ^s
Grass per week	ij ^s vi ^d
Straw per load	v ^s
Cheese per hundred	vj ^d ob. per lb. of best.
And the worst ij ^d a pound.	
Butter per pound	iiij ob. ^d
Bacon per pound	iiij ^d
Wheat per strike	iiij ^s
Muncorn per strike	iiij ^s vi ^d
Rye per Strike	iiij ^s

p. 493.

We humbly desire his Highness Prince Rupert's confirmation of this our presentment, and that the same may be read and published in all Churches within the County of Worcester for the ratifying and confirming of which said presentment the Governor of the City of Worcester, the justices of peace, and the Commissioners for the safeguarding of the said County did then give their consent, and copies of the same presentment were according to the desire of the great Inquest sent to the several High Constables of this County and by them sent to all the Petty Con-

* See *ante*, *p.* 162.

stables within the several divisions of the Hundreds of the said County to the end that the same presentment might be read in all parish Churches and Chapels of this County which was performed accordingly that the Inhabitants of the said County might know what was by them to be performed, and the better to encourage them to pay their Monthly Contribution towards the maintenance of the King's Majesty's soldiers appointed for the defence of the County and City of Worcester. And whereas the great Inquest at this present sessions have presented it as one of the grievances of this County that the said presentment hath not been performed by some of the Captains and other his Majesty's soldiers in regard divers places and parishes of this County which have

p. 494.

constantly paid their monthly Contribution have been not only constrained to give free quarter to the Soldiers which are appointed for the defence of this County but also to give free quarter to strange forces which do not belong to this County, and have not had any allowance for the same out of their Contribution money or any other wages. And that some of the Captains which have the Contribution allotted unto them have refused to receive the one half thereof in provision contrary to his Highness Prince Rupert's order and contrary to the presentment of the said great Inquest. By means whereof the Country hath been much impoverished. It was thereupon desired by the great Inquest at this present Sessions that the said presentment might be confirmed by the order of this Court; And that the Commissioners for the safeguarding of this County would do their endeavour to see the same presentment performed. It is thereupon ordered at this present Sessions with the consent of the Commissioners for the safeguarding of this County that the said presentment shall be confirmed by the order of this Court according to the desire of the said grand Inquest.

The desire of the Grand Jury to let the county know that they were actively taking measures to bring about a better state of things in the county is of interest. They tried to make the county's monthly contribution dependent on their presentment being carried out, otherwise it was to cease, thereby carrying out the principle no money unless grievances redressed. The county was to rely on its own forces for its defence. Strange forces were only to pass through and not to stay. All monies paid for

quartering troops might be deducted from the monthly contribution.

Rupert was asked to confirm these orders, and they were to be read in every parish church in the county, so that the inhabitants might know what they could do to prevent being plundered.

Townshend has preserved for us the names of the Grand Jurors who made this stand for the county's rights. They are thus given :—

p. 495.

Wigorn. Nomina juratorum ad inquirendum pro Domino Rege pro corpore Com. predictum die Martis proximo post festam.

Epiphani Domini Anno xx^o Caroli Regis.

William Mucklow, armiger.

John Bett, ar^r.

John Washbourne, ar^r.

Abell Gower, ar^r.

Thomas Pakington, ar.

Philip Brace, ar.

Edward Davies, ar.

John Lench, ar.

Thomas Gower, ar.

John Coles, ar.

John Browning, gent.

Robert Winton, gent.

Henry Hackett, gent.

Gilbert Norton, gent.

William Hunt, gent.

Walter Hill, gent.

Thomas Burlton, gent.

One of the proposals of the Grand Jury that the defence of the county was to be entrusted to the forces of the county made it necessary that someone should be appointed to call up the county forces when wanted, and in the meantime to take charge of the arms and ammunition, and be responsible for the musters being an effective body. It was the Sheriff's duty to call

out the forces of the county as and when required, and someone had to be appointed to assist him. The Sessions were of opinion that such person should be a county magistrate, who should report to each Quarter Sessions on the state of the magazines of powder, matches and bullets. They accordingly made the following order appointing Townshend to the office of Muster Master for the county :—

p. 497.

Wigorn. SS. Ad sessionem pacis Domini Regis tenentem apud Wigorniam pro comitatu prædicto sexto die Decembris Anno xx^o Caroli Regis.

Whereas the great Inquest of this present sessions presented it to the Court, that it was their desires that the Captains and officers should have their pay only allotted to them according to the number of men they have. And that the High Sheriff of this County for the time being might take a muster of them once every month according to the Military orders agreed upon at Oxford. And a considerable Gentleman of this county to be Muster Master to assist the sheriff. And he to take care also and give account of the Magazine, of Powder, Match, and Bullet to the country, at every of the General Quarter Sessions of the peace to be holden for this County. And the said Muster Master should have a reasonable allowance for the same. And then nominated Henry Townshend Esq^{re}, one of the King's Majesty's Justices of the peace of

p. 498.

this County, And one of his Majesty's Commissioners for the safeguarding of the County to be Muster Master for the said County if he would please to accept the same. Which said desire of the said great Inquest the Court doth very well approve. It is thereupon desired by the King's Majesty's Justices of the peace of this County and by the Commissioners for the safeguarding of the same now present in Court that the said M^r Townshend would take upon him the place and charge of being Muster Master of all the forces both Horse and foot, of this County which receive pay of this County. And would take care of the Magazine, of Powder, Match, and Bullet of this County : And give an account of the proceedings herein at every general Quarter Sessions of the peace to be holden for this County.

Per cūr

Fra. Walker,

Clerc. pac.

D

How these new orders would have worked, whether plundering could have been put down, is doubtful, for they never had a fair trial. The importance of Worcestershire was becoming recognized. Charles, too late as usual, took steps to make the best use of what had been so long neglected. In January 1645 he appointed his younger nephew, Prince Maurice, to be the Lieutenant-General of Worcestershire and the adjoining counties. Maurice at once took up his quarters at Worcester. His first step was to find out what were the orders in force and to make such new ones as might be required. Townshend thus relates it :—

p. 498.

Mem. his highness Prince Maurice coming as Lieut.-General of this and other Counties, desired the Commissioners for the safeguarding of the County to peruse all the Orders made either at Oxford, by his brother Prince Rupert, and at the several sessions here held, and out of them to extract what was most fit and necessary for the peace of the County, and to add others as the variety of time did administer occasion, whereupon these following orders were agreed on as follows.

A new set of orders was accordingly issued for the county. They are dated 3rd February 1645, and are as follows :—

p. 499.

Feb. 3^o, 1644. Apud Wigorn.

Wigorn. Comit. Upon Conference had with the Commissioners for the safeguarding of the County of Worcester, I do approve and order these ensuing particulars, as they are underwritten.

1. That the Contribution of £3000 per mensem be continued for the 22nd month as the Grand Jury hath assigned to be paid the one half in money the other half in provisions (according to the rates agreed and set down by the Grand Jury this last Sessions) at the Country's choice.

2. That with this Contribution according to his Highness Prince Maurice's consent with the Commissioners there shall be maintained 1600 Foot to be divided into 16 companies And 400 Horse into 5 troops with their officers' pay: The officers of the Staff, 16 Cannoneers and 16 Matrosses, with the discharge for Match and Gunpowder every

* In the margin of the articles in which a star is placed in the MS. the word "cont" appears. It is probable that this means that either Maurice or Quarter Sessions approved of those so marked, and not of the others.

common soldier allowed 3^s 6^d per week and Trooper 10^s according to the establishment of his Majesty's Grand Council of War.

* 3. That the County and City shall be no longer subject to any free quarter or billet of or for any horse or foot soldiers, otherwise than for a

p. 500.

night (as his Majesty's soldiers pass through) without present payment for the same in money, and upon complaint made thereof to the Governors of Worcester, Evesham, or Hartlebury the respective Governors with the Commissioners and the forces of the County after complaint made shall speedily cause their removal. And the officer in chief of such forces be punished for his contempt at a Court of War, according to the quality of his offence. Nor any soldiers whatever shall quarter without an express order from his officer in chief in any house, who shall be answerable for any damage sustained by his soldiers to the party suffering.

* 4. And in case any soldier shall attempt to force his quarter without order, they shall be brought before the Governor of Worcester or the next Garrison and there be liable to the answer of a Court of War.

* 5. That no officer or soldier whatsoever shall press or take any horses by his or their own power, and that there shall be no plundering of Horses, Cattle or goods nor violence offered by any of the King's officers

p. 501.

or soldiers to men's persons, Houses, Barns, Stables, Cattle or goods, for defending their persons and estates from the Rapine and plunder of the soldiers. And if any officer or soldier shall presume to commit any such violence as aforesaid, that satisfaction and restitution be made to the owners thereof out of the weekly pay of any such officer or officers, soldier or soldiers, so offending. And that Martial Law be executed upon the offender or offenders according to the quality of his or their offences. For which purpose a Court of Law shall sit weekly at Worcester. And that it shall be lawful for all his Majesty's loyal subjects to assist one another respectively for the suppressing of their violences and forces. And for the apprehending of such persons offending to bring them to condign punishment. And that all Military officers or soldiers whatsoever shall be aiding and assisting to the execution thereof, as they will answer the contrary at a Court of War. And that the officer or officers which shall command any such troop or parties do not only assist upon complaint the party aggrieved and cause to restore him his goods, or upon contempt or neglect, satisfaction shall be made by the Treasurer out of the said Troops' or Com-

p. 502.

panies' pay by order from the Governor and Commissioners.

* 6. That if any Captain, officer or soldier shall fail to pay his billet, or quarter weekly for their own diet (1) Captain 10^s per week, Lieutenant and Cornet 7^s per week, other inferior officers and troopers 3^s vj^d per week: foot soldiers 2^s 4^d per week, That then the Treasurer for the County shall default out of his pay so much money as may satisfy the several quarters by warrant and order of the Governors and Commissioners.

* 7. That the Petty Constables of every parish shall pay in weekly the monthly contribution according to the assessments to the Treasurer of the County. And all provisions to be delivered in by this order shall be brought in to the City of Worcester every Saturday, and town of Evesham and Garrison of Hartlebury every Monday to the hands of the Commissioners to that purpose appointed by the Governors thereof who shall keep books of the same.

p. 503.

8. That all those who shall voluntarily arm themselves for his Majesty's service and defence of the County and City shall have liberty so to do and shall be assured their arms shall not be taken from them.

9. That no parishes which are allotted to any Garrison shall be chargeable to send labourers to make the fortifications of any other Garrison.

* 10. That for the ease and security of all the Inhabitants of this County, the rates of provision for this County which are or shall be from time to time sent in for and in lieu of the one half of the Contribution money: And the Commissaries of the several Garrisons shall not refuse the said provisions so tendered and brought in, in what kind or species of provision whatsoever according to the rates agreed upon by the Grand Jury this last Sessions, either in corn, butter, cheese, bacon, or beef at the election of the party that sends it, being provisions of his own, Always provided that those parishes and places which are assigned to bring in provisions to the Horse shall for the most part bring in Hay, Oats, Peas, Beans and straw; And those parishes and places which are assigned for the foot, that they bring in the other provisions specified in the list, each of them according to the Rates following:

p. 504.

Hay per tod	iiij ^d
Straw per load	5 ^s
Oats per strike	18 ^d
Grass per horse per week	2 ^s vj ^d

Peas and beans per strike	2 ^s vj ^d
Wheat per strike	iiij ^s
Muncorn per strike	3 ^s vj ^d
Rye per strike	3 ^s
Barley per strike	2 ^s iiij ^d
Mault per strike	2 ^s 8 ^d
Cheese best per pound	2 ^d ob.
the worst per pound	2 ^d
Butter per pound	4 ^d ob.
Dry Bacon per pound	5 ^d
Bacon per pound	4 ^d
Beef per pound	2 ^d

11. The Horseman or Trooper and his horse is to be billeted for 7^s per week and to have a strike and a half of oats per week and the foot
 * soldier for 2^s iiij^d the week and shall rest themselves content with diet and entertainment fit and reasonable for such allowance and behave themselves orderly in the places where they quarter without offence by

p. 505.

cursing, swearing or other misbehaviour And shall make satisfaction for such other things as they shall make use of for themselves, or their horses; And if any fail to make satisfaction, the Treasurer upon warrant from the Governor and Commissioners expressing what is to be paid shall make full satisfaction out of the party's pay.

12. That no free quarter or billet shall be taken by or for any horse
 * or foot soldiers in any Garrison town, parish or house within this County (except house room and such fire, candle and salt as they of the family of themselves use) without payment for the same in ready money according to the rates. And that no more soldiers be billeted in a house than the said house will conveniently receive.

13. No quarter master shall quarter any person, officer or soldier without warrant from his officer in chief, nor without the assistance of the Mayor, Bailiff, Constable or officer of the place, and shall give a copy of the warrant, and a note of the number of his billet under his hand
 * unto the said Mayor, Bailiff, Constable or other officer. And no Com-

p. 506.

mander, officer or soldier of his Majesty's armies shall be quartered or billeted in the dwelling house of any of the Commissioners for the safeguarding the County who do attend weekly the service, The Treasurers, Collectors of money or warrants. Nor that no women, boys

nor children allowed quarter without consent of the master of the family.

14. That if any person or persons make or shall make default of payment weekly their Contribution either in money or provisions according to the tax, that such person or persons upon return of their names by the Constable to the Treasurer of the several Garrisons, the Com-
 * manders in chief are desired and have liberty to send forth parties of horse and foot to distrain and collect the same. And that every person so neglecting or wilfully obstinate to discharge his Contribution may only suffer in his own estate and person, and be at the whole charge of the collection of the same. And that none of his neighbours may be molested nor suffer by quartering who have paid the Contribution aforesaid upon pain that the officer sent out shall bring a[t least?] double

p. 507.

portion to be employed according to the orders established at Oxford.

15. That if any parties of horse or foot shall be commanded forth to collect any monies or provisions either for contribution, fortifications or for any other his Majesty's service and employments they shall take the Constable, or Constable's deputies or Tything men of the parish or
 * parishes with them, which said Constable or Constable or his deputies or Tything men shall only receive the monies and provisions abovesaid,
 † and bring them into the Treasurer and Commissaries.

16. That all person or persons shall be rated, assessed, and taxed for the true and reasonable full value of their estates of lands by the pound and not by the ordinary and heretofor accustomed way by the
 * yard land for the better quality and indifferency of payment in all extraordinary taxes and impositions, either for monthly Contribution, or any other military charges for his Majesty's service. And whatsoever sum or sums of money are or shall be set and imposed by the assessors of the several parishes either upon the landlord or upon the tenant in

p. 508.

respect of the estate of lands, tenements or hereditaments, the said tenant holdeth of his landlord, shall be paid by the several and respective tenants, whereby the Contribution and other military Charges may be more readily and cheerfully paid and satisfied, And that the tenant shall deduct and default out of their next rents payable by them to their respective lessors or landlords, such sum or sums of money so taxed and assessed as aforesaid.

17. That no officer of a Regiment be paid more weekly than according to the number of the Muster roll, and for the more assurance the
 *

† Against this article and those marked with a dagger a "q" is placed.

Treasurer of the Contribution shall receive a copy of the musters, their number, the names and pay weekly due to each Garrison.

18. That the Commissaries of the several Garrisons shall upon every Thursday weekly account with the Treasurer the quantities and several stores of provisions they have weekly received into their Magazines.

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19. That no officers or soldiers whatsoever shall presume to give any offence by word, action, or uncivil or uncomely gestures to the High Sheriff for the time being of this County; his Majesty's justices of peace of the said County, Commissioners for the safeguarding of the
* same, or any other Commissioners under the great seal or to any other Commissioners authorized by Prince Rupert or Prince Maurice their highnesses or either of them or to any gentlemen executing the public service of this County by being of the Grand Jury or otherwise upon pain of being censured by his Highness according to the nature of his or their offence.

20. That the monthly Contribution be not diverted from the payment of the Garrisons unto which they are allotted.

21. That if any Horse or foot be commanded out of their several quarters into any other parts of this County the parishes or places where the said Horse or foot quarter shall discount to the Treasurer of the
† County out of their monthly Contribution their several billets agreed upon according to the rates agreed bringing a note to the said Treasurer

p. 510.

under the hand of the Commander in Chief of the number, charge and time of stay. But in case the said Commander in Chief do not or shall refuse to give a note under his hand as aforesaid, That then upon a Certificate from under the hands of the Constable or Tythingman and two sufficient Inhabitants of the said parish or place to the Treasurer the billet money shall be discounted. And if the quarter of horse or foot shall exceed the monthly Contribution of that parish or place, that then the Treasurers shall discharge the same and discount it out of their pay of Horse and foot respectively which have so quartered, in case it be not for one night upon a march against an enemy.

22. That at every Court of War the Commissioners for the safeguarding of the County may sit in the said Court with the Marshal officers and have equal votes with the said officers in all causes and differ-
* ences depending there between the soldier and the Countryman and also
† for so much as concerneth the case of any private subject. And that

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their places there to sit shall be next the Colonel's.

23. That no guards of any Garrison shall suffer and permit any troopers and or Common soldiers to pass through their guards without a ticket from the Commander in chief upon pain that the Commander
 † of the guard or the officer in chief shall be responsible for any damage which any person or persons or places shall suffer thereby. And the officers of the guard permitting any soldiers or troops to pass through without license shall receive such punishment as the Governors shall think fit according to the quality of the offence.

24. That the Muster Master of the County shall at least once every month muster all the forces of horse and foot within this County that have pay, and therein shall strictly perform his said place according to
 † the military orders set down by his Majesty by the advice of the Parliament at Oxford For the better regulating the Army. And it is desired that the Governor and High Sheriff for the time being shall be there present with some of the Commissioners to protect and assist the said Muster master in the execution of his place. And no Muster at all to

p. 512.

be allowed except it be signed under the hands of the Governor, Muster-master, High Sheriff or two of the Commissioners if they shall think fit to be there having notice thereof. And the subscription and closing of the books not to pass by the Muster master alone, without the Commissary General, unless the said Commissary General be absent. Neither shall the Treasurer pay any Captain or officer any money who have not his roll so signed.

25. That no officer or soldier whatsoever shall distrain or seize upon the goods of any person within this County, nor shall arrest or bring to prison by his own power and authority any Inhabitant of this County which are under his Majesty's protection without warrant and order
 * under the hand of the Governor and some of the Commissioners nor shall seize and imprison the person of any man for his Contribution who hath goods sufficient to pay the same by distress where distress may with safety be had, or else to take their persons.

p. 513.

26. That all soldiers either horse or foot may be quartered either in the Garrison towns or boroughs of this County or in some strong houses on the frontiers and not in the country villages unless it be for a march
 * for a night and not upon pretence from one parish to the next to harrow, eat out and devour the Country: upon such pains and rendering such satisfaction, to the parishes, places and persons aggrieved as the Governor and Commissioners shall think fit upon complaint made and proved to them.

* 27. That no tax, burden or imposition be laid upon the County for his Majesty's service for any use, intent or purpose without the knowledge and assent of the Governor and Commissioners.

* 28. That no officer or soldier shall send for any Hay, provender or any other provisions but shall pay for the same in ready money unless it be in the parishes which are assigned for their quarters. And that it shall be lawful for any person or persons to refuse the sending in thereof without money. And if any officer or officers, soldier or soldiers shall

p. 514.

enforce the same that upon complaint made to the Governor and Commissioners not only restitution and satisfaction shall be made to the party or parties grieved by the Treasurer as the Governor and Commissioners shall think fit out of that troop or company's weekly pay, But also that such officer or officers, soldier or soldiers shall receive such further censures as his Highness shall think fit or in his Highness' absence the Governor and such persons as his Highness shall make choice of to that effect.

29. That the Governor and Commissioners may have power to nominate and appoint a certain number of persons of approved Loyalty and Fidelity to be as a sub-committee to make ready and prepare such business as they shall from time to time commend to their consideration. And also to have power to hear and order only such matters as shall be by the said Governor and Commissioners thought fit for their cognizance provided always an Appeal from them to the final determination of the said Governor and Commissioners.

p. 515.

* 30. That the Commissioners may have a joint and communicative power with the Governor in matters of civil policy, as contributions and such other businesses as are not directly military and martial but conduce to the well ordering of the affairs of the County for the good thereof and the more easy and just transaction of his Majesty's service in these parts.

* And it is also humbly desired that his Highness would be pleased to receive the Commissioners as a Council to him in the Transaction and passing all business, and that no orders may pass concerning the affairs and safety of the County by his Lieutenant General or Commander in Chief in his absence without their knowledge and assent.

That it is his Highness Prince Maurice's pleasure and command that all the aforesaid orders by him consented unto may be read to the Grand Jury at the next meeting of Sessions And if there be any further propo-

sitions thought fit to be presented by them for the advancement of his

p. 516.

Majesty's service and may likewise conduce for the better preservation of the peace and safety of the County his Highness will be ready to express his assent and confirmation thereunto.

Let the orders be published in all parish churches and chapels of this County and be read at a Court of War, the Advocate taking a copy of the same to remain in his custody. And also that all copies of these orders be sent to the Commanders in Chief of the several Garrisons whereby they may take notice of them by a due observation.

MAURICE.

7^o Feb. 1644.

Whatever may be thought of these orders—and it must be admitted that they do not err on the side of leniency—the county had obtained one great advantage : they knew where they were. It was now laid down clearly for the first time what the military could and could not do, what were the liabilities of the farmer and peasant, when resistance was lawful and when it was not. Possibly if they could have been effectively carried out things might have gone on fairly well, but they could not be carried out. They were only law for the Royalists, the Parliament did not recognize them, and it may be safely affirmed that the Royalists would not be outdone in plundering by a set of “cropped knaves.”

It is a point of some interest that Maurice should not only allow, but as it seems request, that these orders should be laid before the Court of Quarter Sessions for their approval. It is also worth notice that this was no mere formal approval. The Sessions considered them, amended them by providing that the exceptions as to giving free quarters should be extended beyond the persons named in the order, and among those whom they proposed should be excluded were the Grand Jury themselves.

On the consideration of the articles, the Court formally

approved them as amended; and the Clerk of the Peace issued the following certificate :—

p. 516.

Whereas the articles above written were presented unto the Court under the hand of His Highness Prince Maurice upon the Conference had by the Commissioners for the safeguarding of the County of Worcester with him the 3rd day of this instant month of February, the same

p. 517.

Articles being now read in open Court, the King's Majesty's Justices of the peace, the Commissioners for the safeguarding of the County, And the Great Inquest do give most humble thanks to his Highness for the granting thereof, and do very well approve of the same, And desire that the same Articles may be duly observed. And it is desired by the Court, the Commissioners for the safeguarding of this County, and the Grand Inquest, that all such of the Commissioners for delinquents' estates in this county which attend the service, the High Sheriff, and his under Sheriff, and the Clerk of the peace, may be inserted in the 13th Article, and be free from quarter as the Commissioners for the safeguarding of this County are.

Franc. Walker, Clericus
pacis.

It was not only for the good government of the county that Maurice made orders; he required the City to provide daily for his food. He did this by the following order :—

p. 482.

The City of Worcester to provide Prince Maurice his diet for his table as followeth, namely—

	£	s.	d.
1 fat mutton	0	12	0
1 lamb	0	06	0
1 veal	0	10	0
30 pounds of beef	0	05	0
3 couple of pullets or capons	0	06	0
6 couple of pigeons	0	02	0
6 couple of chickens	0	04	0
8 dozen of white and brown bread	0	08	0
6 pound of candles	0	02	6
2 Hogsheads of strong and small beer	1	0	0
	<hr/>		
	3	15	6

But in spite of the Association and Maurice's new order, the monthly contributions were still levied as before. On the 10th February 1645 the monthly contribution was levied under a warrant of Gerrard's—he is there described as the late Governor of the City and County—at 4*d.* in the £:—

p. 407.

10th Feb. 1644. Vide the Order from Governor and Commissioners concerning the equal assessing by the pound, page 38 before.*

An assessment of all the lands and tenements in the parish of Elmley Lovett according to the rents and annuities thereof except certain rents and annuities belonging to the king, the Church and charitable uses, and small tenements under the value of 30^s per annum for and towards his Majesty's services and for all extraordinary charges therein duly made and agreed upon the day and year above written by the parishioners which have hereunto subscribed according to a warrant made and directed by Sir Gilbert Gerrard, Kn^t, late Governor of the City and County of Worcester and Commissioner for the safeguarding of the County as followeth by the pound at 4^d the pound *for the 22nd month's contribution.*

	£	s.	d.
Elmley Lovet.—Hen. Townshend, Esq ^{re} , for his demesne and improved Rents .	01	10	00
Fooffees of M ^r Dobbins pro his demesne and improved rents . . .	01	03	04
Fortune Manning, Wid.	00	02	04
John Hanbury	00	01	00
Upton.—Thomas Tyrer pro Utteridge Farms .	00	12	00
For his wife's land	00	08	06
For Will. Field's lands	00	04	00
John Barnard	00	03	00
Mary Stower, vidua	00	02	00
Charles Bacon	00	02	02
Philip Gittens	00	01	06
<i>p.</i> 408. Will. Field	00	00	06
Walter Insoll	00	04	08
Edward Best pro rectoria	00	15	00
Cutnall.—M ^{rs} Cicely Brace	00	10	06
John Kindon	00	04	04

* On page 38 of the MS. there is an entry, "Henry Townshend of Elmley sessed after £103 0 0 per annum, for which he pays accordingly.

	John Bourne	00	15	00
	Mr Nathaniel Tomkins	00	02	00
	John Broad's Tenements	00	00	06
	Tho. Burton	00	02	00
Insoll.—	John Smith pro Togood	00	04	06
	For Ballhall	00	02	06
	Thomas Moule	00	05	00
	Tho. Williams alias Scott	00	05	00
	Will. Segar	00	00	10
	Tho. Ballard	00	00	10
Walton.—	Edw. Best, Clerk	00	02	04
	Lewis Palmer	00	02	04
	Humphrey Best	00	02	06
	Hen. Nicholas	00	01	00
	John Best	00	01	04
	Joan Best pro Churchland	00	01	04
	John Sentre	00	02	04
	Jo. Typper	00	01	00
Snedgreen.—	John Lench, gent.	00	10	00
p. 409.	Humphrey Thatcher	00	02	06
	Ed. Smith for his Freeland	00	03	06
	For Hartlebury School land	00	00	06
	Charles Harwood	00	05	00
	John Acton, gent.	00	05	00
	John Pooler for Felgates	00	01	06
	Edmund Royall.	00	06	06
	For Rowles Orchard	00	00	10
	Richard Wollaston, clerk	00	04	04
	Anthony Acton	00	02	06
	Thomas Burnell	00	01	06
	Thomas Camell	00	04	04
	Thomas Moule for his free land	00	02	02
	Thomas Gardner	00	00	08
	Walter Perkes	00	01	00
		<hr/>		
		11	08	03
		<hr/>		

Anthony Acton.

John Barnard.

John Best, sen.

William Field.

Humphrey Thatcher.

An apportionment on the parishes with the sums each paid, in accordance with the arrangement arrived at making certain areas liable to support certain specified regiments, follows.* No date is given, but it appears to be about this time, as no name of a Governor of Worcester is given. Gerrard had just ceased to be Governor, and no new one had been appointed.

p. 425.

After the rate of £4000 per mensem. } The part of the County assigned to pay the monthly Contribution for the Governor of Worcester's Regiment of foot and horse.

	Yardley.								
	St Michael's in Bedwardine	007	18	00					
	St John's in Bedwardine	007	18	00					
	Wick Episcopi	030	14	02					
	Wichenford	015	07	02					
	Broadwas	015	07	02					
	Hallow	016	08	08					
	Grimley	011	09	08					
Nicholls division of Oswaldslow.	Holt	011	09	08					
	Witley parva	005	12	09					
	Kempsey	022	01	06					
	Norton	011	00	10					
	Stoulton	011	00	10					
	Battenhall	017	18	08					
	Claines	040	05	05					
	Spetchley	005	19	06					
	White Ladies' Aston	005	19	06					
	Churchill and Bredicot	005	19	06					
	Ripple	043	07	02					
	Croome D'abitot	007	04	02					
	Hill Croome	007	04	02					
	Earl's Croome	007	04	02					
	Severn Stoke	041	06	08					
M ^r Herbert's division.	Yardley	051	06	08					
	Hindlip	005	01	04					
	Oddingley	003	06	08					

* See *ante*, p. 176.

M ^r Trimmell of Oswaldslow.	Warndon	006	00	00
	Tibberton	010	13	04
	Huddington and part of Crowle	009	13	10
	Himbleton cum membris	012	08	10
	Stocke and Bradley	008	13	04
	Hanbury	064	07	02
	Stoke Prior	027	00	06
	Alvechurch	040	14	02
p. 426. M ^r Har- per's division.	Martin Hussingtree	007	10	00
	Broughton Hackett	006	10	00
	Upton Snodsberry	030	04	02
	North Piddle	010	00	00
	Peopleton	010	00	00
	Pinvin	012	10	00
	Walcot cum membris	042	10	00
	Pirton	013	15	00
M ^r Cooke's division.	Beoley	030	00	00
	All M ^r Cooke's Division of Half- shire hundred (except Feckenham which is allotted to Evesham), Church lench and Kington	481	01	10
M ^r Morris Division.	Oldswinford and Stourbridge	024	18	08
	Dudley	014	17	08
	Cradley	004	17	02
	Wartley	004	17	02
	Ludley	002	15	06
	Frankley	009	13	10
	Hagley	011	01	08
	Pedmore	005	10	10
	Kingford	004	02	00
	Rushcock	009	14	00
	Churchill	002	01	04
For Evesham.				
Blackenhurst Hundred		250	00	00
Chapman's Division of Oswaldslow		200	00	00
Trimmell, Oswaldslow.	Fladbury	}	38	00 00
	Hill and Moore			
	Wyre and Piddle			
	Rouslench and Hoblench	09	04	00

	Bishampton	09	12	00
	Harvington	10	00	00
	Throckmorton	11	10	00
Harper, Pershore	*Flyford Flavel and Grafton Fl. .	26	12	06
	*Abberton	07	10	00
	*Dormston	09	07	06
	Naunton Beauchamp			
M ^r Cooke of	Churchlench	01	11	00
Halfshire.	Kington			
	*Feckenham	51	13	04
p. 427. Trimmell.	Inkberrow	48	00	00
Harper.	Aldermarston and Goldicott . .	22	10	00
	Broadway	31	17	06
Trimmell.	Sedgberrow	09	01	04
	Crophorne, Netherton and Charlton	24	00	00
	Elmley Castle	09	05	04
Harper.	Bicklehampton	10	00	00
	Comberton magna et parva . .	20	00	00
Trimmell.	Overbury cum membris	44	10	00
	Bredon cum membris	52	00	00
	Eckington and Wollashull . .			
	Strensham	12	10	00
Harper.	Birlingham and Nafford	15	08	09
	*Pensham			
	*Wick juxta Pershore	15	02	02
	*Pershore S ^t Andrew's and S ^t Cross	21	11	03
	*Defford	09	07	06
	Besford	09	07	06
4	Doddingtree Hundred			
	Powick and Bransford			
	Leigh and Mathon			
Hicheox division	Longdon and Chaceley			
of Pershore	Eldersfield			
Hundred.	Bushley Pool and Queenhill . .			
	Castle Morton			

* These stars are in the MS., but no reference is given either in the margin or the foot of the page. They probably relate to the way the different parishes were assigned to the various collectors.

	Malvern magna and Maddersfield .	
	Hanley Castle	
	Birtsmorton and Staunton . .	
Nicholl's division of Oswaldslow.	Redmarley Dabiot	
	Berrow	
	Holdfast and Eastington . .	
	Pendock	
	Malvern parva	
	Welland	
	Upton upon Severn	
	Lindridge	
	Kington	
	Kidderminster Foreign . . .	
Norris Division.	Kidderminster Borough . . .	
	Chaddesley Corbett	
	Stone and Dunclent	
	Over Mitton	
	Wolverley	22 00 00
	Hartlebury	
	Belbroughton	
	Elnley Lovet	

As the Royalists had "Associated," other parties did not see why they should not unite for mutual protection. In March and April bands of farmers joined together for defence against plunderers to whatever party they belonged. This movement was most active in Herefordshire, but extended into Shropshire and Worcestershire. On the 5th March 1645 a meeting, largely attended, was held on Woodbury Hill, over which the parson of Shelsley, Mr. Charles Nott, presided. They drew up a statement of their grievances which they sent to the Sheriff, Mr. Bromley of Holt. The following is Townshend's account :—

p. 793.

The inhabitants of all the North west part of the County of Worcester having several times met in very great bodies for their own protection did at last agree upon a declaration and resolution, which was

presented by Mr Charles Nott parson of Shelsley* in the names of all the rest of the Assembly to Henry Bromley Esq^{re} High Sheriff, with this protestation that they are for his Majesty; which meeting was at Woborough [Woodbury] Hill; the number about 1000, upon Wednesday the 5th of March 1644. The Copy of the Declaration is as followeth:

“We having long groaned under many illegal taxations and unjust pressures and that contrary to orders presented to his Majesty by advice of the Lords and Commons assembled at Oxford And ratified and published by his Majesty’s gracious proclamation. And nevertheless finding no redress of our grievances, but that we, our wives and children, have been exposed to utter ruin by the outrages and violence of the soldier; threatening to fire our houses; endeavouring to ravish our wives and daughters, and menaieing our persons. We are now enforced to associate ourselves in a mutual league for each other’s defence, and do declare to the world that our meetings have been, are, and shall be to no other intention or purpose than as followeth.

p. 794.

1. To maintain the true Reformed Protestant Religion contained in the Doetrine of the Church of England against all Popery and Popish superstitions and all other Heresies and sehisms whatsoever.

2. To defend the King’s Majesty’s person, honour, and estate against all those that shall oppose the same.

3. To preserve and uphold the ancient and just privileges of Parliament and known laws of this kingdom against all arbitrary Government which shall be endeavoured to be introduced and put upon us under what pretence soever.

4. To retain the property of the subject by proteeting and safeguarding our persons and estates by the mutual aid and assistance of each other against all murders, rapines, plunder, robberies, or violences which shall be offered by the soldier or any oppressor whatsoever, as is allowed by those orders lately signed by his Highness Prince Mauriee as appeareth by the 5th Artiele of the said orders.†

5. To quicken the exeecution of those wholesome orders abovesaid ratified by his Majesty’s proclamations as also those other orders which

p. 795.

at several times sincee have been agreed upon and signed by his Highness

* No incumbent named Nott held the living of Great Shelsley at this time. Penelope Nott, widow, presented John Wood in 1610, and the next presentation was not till 1665. Possibly “parson” is a mistake for “patron.”

† See *ante*, p. 207.

Prince Rupert, Prince Maurice, and also consented unto by the Honourable the Governor and Commissioners for the safeguarding of this county and the great Inquest at several Sessions of the peace held for the body of the same.

6. Our resolution is not to submit to the execution of any commission intrusted upon any pretence whatsoever in the hands of any Papist, or Papists, Recusant or Recusants or any other joined in commission with any Papist, or Papist Recusant for that by the known laws of this kingdom no Papist, nor Papist-recusants ought to be intrusted in any office of state, justice, or judicature: neither to keep any arms in their houses that may be or prove offensive to any of His Majesty's Loyal subjects.

7. Our desire is that this our Declaration and resolution may be presented to the High Sheriff of this County to whom alone as his Majesty's Vicegerent we conceive we are bound to render an account of these our doings. And further our petition is that he would be pleased to endeavour that all Popish Recusants within this County may be pressed to take the oaths of Allegiance and supremacy as by law is

p. 796.

provided. And upon refusal they may be disarmed as by law they ought.

8. That it is our request that the Grand Inquest now intrusted for the body of this County may be moved seriously to weigh and consider how they do consent to the illegancy [*sic*] of such Commissions as shall be committed to the hands of Papist, or Popish Recusants lest they betray our trust and so expose both themselves and us to utter ruin."

It was not only the Teme Valley farmers who were stirred up to association by the Royalists' action. The Parliamentary partisans greatly resented it. What they particularly disliked was the attempt to compel all males between 16 and 60 to take up military service. Five leading Worcestershire justices issued an order to the constables of the parish of Stock and Bradley forbidding the parishioners to obey the warrants calling on them to serve, and threatening them with confiscation of their estates if they did not. The order is in the following terms :—

p. 796.

Mem.—The Committee of Warwick for the parliament and of this County hearing that the Commissioners had sent out warrants to

summon some of the best Inhabitants, Constables, and ministers to bring in the names of all the able Inhabitants between 16 and 60, whereby the number may be known, and there to receive such further directions as the Commissioners should commend unto them for the arming and listing of themselves, did send out their warrants to several parishes to prohibit the same as by the warrant following testifies.

p. 797.

Whereas there was a warrant sent into your parish under the hands of the Earl of Shrewsbury, Sir William Russell, and others thereby requiring you to associate yourselves with the Counties of Salop and Hereford, under pretence of redressing grievances and the enjoyment of great privileges. We doubt not but you are truly sensible of the great grievances and most intolerable injuries which you have long suffered, and undergone, almost to your impoverishing under a Colourable pretence of protection and privilege. We believe you who truly desire the defence of your religion, laws, and liberties, the welfare of yourselves and posterity, will be no longer deluded with such specious pretences being chiefly carried on by Papists and known enemies to the state, But rather arm yourselves for the defence of your Religion and Liberties against such invaders. We have therefore not only thought good to premonish you, but also straitly to charge you, command you, that you forbear either to give notice or to list any of the Inhabitants of your said parish

p. 798.

as you will avoid imprisonment and bringing your estates under the ordinance of sequestration. Given under our hands this third day of March 1644.

To the Minister and Constable of
Stoke and Bradley, *These.*

Edw. Rous.
Tho. Milward.
Joh. Fownes.
Henry Hunt.
Jo. Giles.

The great menace to the Royalists in 1645 was the New Model army. The Self-denying Ordinance was passed on the 3rd April, and the question was, What would be its effect? Cromwell's command had been extended for forty days after it became law; during those forty days Cromwell had been able to upset the plans that Rupert and Maurice had been preparing to begin the campaign. They involved the march of men and guns

through Worcestershire; a train of artillery was to be sent to reinforce Rupert at Hereford. To help his brother Maurice issued the following orders for supplies. The first, dated the 3rd April 1645, is for provisions, and runs as follows:—

p. 519.

A warrant to the High Constable of Oswaldslow, etc., to command him to send warrants for provision for his Majesty's Army, who are to make their rendezvous in this Country very speedily, and upon special command from his Majesty and his Highness Prince Maurice Lieut.-General and signed by him.

Whereas the time is now approaching for his Majesty's Army to draw into the field, and his Majesty having given commands that there be great store of biscuit bread speedily provided out this County for provision for the said Army, These are to charge and command you together with the Petty Constables within your division to bring or cause to be brought into the Magazine within the City of Worcester within one week next after the date hereof * Bushels of good, sweet, sound and marketable wheat out of the towns within your division (except Hartlebury and Wolverley which are appointed to furnish Hartlebury Garrison). And these are further to command you to bring in to the City of Worcester within the time aforesaid out of your division * shovels, spades, pick axes and such like Instruments for his Majesty's marching Army. And you are to let your Divisions know that I must expect from them a very strict account of the said service.

p. 520.

That if their backwardness therein shall happen to draw any hard pressure upon them they may be left without excuse, and thank themselves for the same. Given at Worcester under my hand this third day of April 1645.

Maurice.†

That there should be no doubt as to what provisions were wanted, a memorandum, dated April 4th, states precisely what the county was expected to supply:—

p. 519.

3000 bushels of wheat, 500 Pick axes, shovels, spades, etc. for the County of Worcester.

April 4th 1645.

* Blank in MS.

† A copy of this order is also given on p. 526 of the MS.

p. 522.

His Majesty intending to be at the City of Worcester Mr Pinkney Commissary General of the provisions conceived it necessary that the several sorts of provisions should be laid in at the Cross Inn His Majesty's Horse quarters for his own Retinue, as followeth; which according as the Rates of provision is at this season [to] be as [follows].

20 tons of Hay at 30 ^s per ton . . .	30	00	00
10 load of Straw	04	00	00
20 quarter of Oats at 2 ^s per strike . .	16	00	00
10 quarter of beans at 3 ^s per strike . .	14	00	00

April 4th, 1645.

64 00 00

It is desired by the Commissary that 1000 quarters be laid in at 30^s per quarter which is 3^s 9^d per strike—£1500 00 00. Of which 500 quarters to be baked in biscuit, the rest in bread.

p. 523.

A quarter of wheat which is 8 strike will make 300 weight of biscuit in the hands of a good workman; which after 30^s a quarter per wheat, the biscuit is after 10^s per cent. weight.

Every Common Soldier's allowance per diem is one pound of Biscuit, and half a pound of Cheese.

50,000 weight of Cheese at 20 ^s cent. . . .	£500	00	00
Coarse canvas at 9 ^d per ell, and 2 ells to make a sack to put in the biscuits of } which there must be 1500 sacks . . . }	£100	00	00
The making of them	520	00	00
£2184	00	00	

That there be provided 160 carriages, 5 Horses in the Team to carry provisions.

Having provided the supply of food for the troops, Maurice proceeded to provide for its conveyance to the troops and while marching through the county. This was done by the following order :—

p. 520.

160 carriages.

Whereas there is a necessity of having in a readiness a great number of teams for the necessary carriage of the Army without which the Army cannot be enabled to march. These are therefore to charge and com-

mand you by the assistance of the Petty Constables within your division to impress and bring into the College Green within the City of Worcester upon Friday the xith day of April 28 sufficient and serviceable Teams of horses, with 5 able Horses at the least, a strong and able Cart, and two Carters with each Team, And to bring with them sufficient provision for themselves and their Horses for 3 days, which service is of such necessary concernment to his Majesty that I must exact a very punctual account of the performance Letting you know that if there shall be any neglect or remissness in the same, it will not only be a very great hindrance to his Majesty's affairs, but you will also thereby draw upon yourselves and the County such inconveniences and pressure by the stay of the Army for want of carriages, which otherwise by your ready performance you might avoid. And you are to let the country know that they shall have the Teams all released and returned back to the owners at the first convenient place where they may be relieved in the next County which they shall march through. Given under my hand this 3rd day of April 1645.

Maurice.*

For M^r Nichols, Chief Constable
Division of Oswaldslow.

This order is of interest. Twenty-eight teams of five horses each, every cart requiring five horses, bears eloquent testimony to the state of the roads. Two men to each team were quite little enough. Three days' provisions for the carters and horses shew that the rate of marching could not have been much if at all over seven miles a day, as the Northern county boundary is not at any place more than thirty miles from Worcester. It will also be noticed that horses are expressly mentioned, which rather goes against the usual idea that in the Civil War bullocks were generally employed to draw the baggage wagons. The hint that if for want of carriage the soldiers are detained the cost of keeping them would fall on the county should have proved an incentive to send horses.

It will be noticed that the carts and horses are to be brought into the College Green. At first sight it appears to be rather

* A copy of this order is also given on p. 525 of the MS.

remarkable that this should be so, but the reason was doubtless that the College Green was then and down to the nineteenth century in the county and not the city, and in the Hundred of Oswaldslow, so the Chief Constable would remain liable for them as they were still in his custody, and if any were missing would have to make them good.

As "Muster Master" it was Townshend's duty to see that the magazines were kept replenished; probably it is with a view to this that the following memorandum as to the necessary provisions for a garrison was drawn up. There is no date to it, nor anything to shew why it was prepared:—

p. 524.

The quantity of provisions fitting for to maintain 2000 men at least for a siege of 6 months.

8000 Bushels of bread corn of Rye muncorn and wheat at 3 ^s 4 ^d per strike	£1333	06	8 ^d
2000 bushels of white and grey peas at 2 ^s per bushel	200	00	00
1000 bushels of oats in oatmeal at 2 ^s per strike	100	00	00
20,000 pound of Cheese at 2 ^d per lb. .	166	13	04
10,000 pound of Butter at 4 ^d per lb. .	166	13	04
200 beefs at £3	600	00	00
20,000 strike of malt at 2 ^s vi ^d per strike	2500	00	00
Hotwaters *	100	00	00
Fire for the Guards	100	00	00
2000 bushels of salt at 2 ^s vi ^d	250	00	00
Money at 4 ^d per diem a Soldier	1200	00	00
	6716	13	4 [†]

As the advance of the Royal Army was publicly announced by the issue of the warrants to the constables directing them to bring in the required quantity of food and transport, the Parliamentary leaders considered it to be their duty to obstruct the

* *Sic* in MS.

† In the MS. the total is given as £6116 13 4.

execution of the orders as far as possible. They therefore issued from Warwick an order addressed to all constables in Worcester-shire threatening them with penalties if they executed the Royal warrant :—

p. 527.

Wigorn. SS. To the Constables Thirdboroughs and all other officers and Inhabitants of the County of Worcester.

Whereas several warrants have come unto you for the bringing in some quantities of wheat and other provisions to the City of Worcester now a Garrison of the enemy. And for providing of shovels, spades, pick axes, and other Instruments as likewise a certain number of Teams, with Horses, Carts, and Carters for the service of the Enemy. These are straitly to charge and command you in the name and by authority of the High Court of Parliament that upon pain of imprisonment, and sequestration of lands, and goods, you forbear to execute or to do anything in order to the execution of, or that you give any obedience to the said warrants, as being immediately destructive to the true Religion, the laws and liberties of this Kingdom. Given under our Hands at the Borough of Warwick the 7th of April 1645.

Tho. Rous,	Will. Lygon,
Jo. Egiocke,	N. Lechmere,
Ed. Rous,	Jo. Fownes,
Will. Moore,	Hen. Hunt,
Jo. Gyles,	Will. Collins.

Notwithstanding all these forced services, the monthly contribution was still demanded for the Army pay. Townshend gives the following form of order for the several places that were in arrear :—

p. 531.

It is this day ordered that * shall have and receive the Contribution of the several towns subscribed for the xxxvijth month for the payment of himself his officers and company. And he is to let the Constables of the said several towns know that by the order of the Honourable Governor and Commissioners of the County and City of Worcester dated the * day of April instant they are to nominate and require four or more of the ablest Inhabitants under the degree of Esq^{res} within every of the Constablewicks to join with the Constable

* Blank in MS.

and take upon them the care of the collection of the Contribution within the several parishes from time to time monthly and every month, and to make payment of the said month's Contribution in unto the said * within ten days next after the date hereof. The names of which Collectors are likewise to be returned in unto the said * by the Constable of every parish within six days, And the said Collectors are likewise to forfeit * apiece for every month they refuse to do their duty herein, beside double payment of the Contribution from those who neglect their payments.

The following order was sent to the Constables :—

p. 532.

According to an order under the hands of the Honourable Governor and Commissioners of this County and City of Worcester dated the 25th day of April instant, you are to assess the Contribution of the 37th month within your Constablewick. And you the Constable are thereby ordered to require four or more of the ablest Inhabitants under the degree of Esq^{re} within your Constablewick to join with you, and to take upon them the care of the Collection of the same Contribution and the payment thereof in unto Me * at my quarters in Worcester within ten days next after the date hereof, And you are to return unto me the names of such Collectors within six days next following, Letting them know that it is ordered they shall forfeit £V apiece for every month they refuse to do their duties herein, besides double payment of the Contribution by those who shall neglect the payment. Dated, etc.

It will be noticed that this contribution had become entirely military. At first the Sheriff was the person who received and paid over the money; then certain of the military were to collect the money from defaulters, and at last the money was to be paid to the military direct at their quarters in Worcester.

Naturally this enforced payment caused great discontent, and Maurice seems to have felt it necessary to find out among those who would not or did not pay who were for the Parliament and who for the King, so he resorted to the following method :—

p. 537.

It pleased Prince Maurice his highness that there should be a pro-

* Blank in MS.

testation drawn for all the County and City of Worcester to take; And send out his Order to the High Sheriff and Commissioners to give warrants forth to all persons in all places within his County, which order of his Highness and also protestation is underwritten, though no warrants were sent out by the Commissioners as denying to have any power to command the same.

I do hereby straitly enjoin without exception all persons of what quality soever within the County of Worcester to take the Protestation hereunto annexed, willing and requiring you to give express order to all Mayors, Bailiffs, High Constables, Ministers, Vicars, Curates, Churchwardens, and all others whom it may concern to take the said Protestation, and to administer the same to all and every Inhabitant of all and every town, parish and village within the County of Worcester. And if person or persons within the said county refuse to take the said Protestation, you are also to give special order that their names be recorded, and a schedule of their names be forthwith brought to Me. Hereof you may not fail as you tender the good and advancement of the King's cause. Given at Worcester this 8th day of April 1645.

Maurice.

To the High Sheriff and Commissioners
of the County of Worcester.

p. 538. April 17th.

The Protestation.

I A. B. being hereunto required do willingly and in the presence of Almighty God solemnly vow and protest as followeth.

1. That I believe no power of the Pope or Parliament can depose our Sovereign Lord King Charles, or absolve me from my natural allegiance, and obedience to his Royal person and successors.

2. That the two Houses of Parliament without the King's consent have no authority to make laws, or to bind and oblige the subject by their ordinances (1) contrary to the known laws.

3. Wherefore I believe that the Earls of Essex and Manchester, Sir Thomas Fairfax, Sir William Waller, Col. Massey, together with all such as already have, or shall take up *Arms* [*in margin*: without the King's consent] by authority and Commission of the Members of Parliament at Westminster pretending to fight for King and Parliament, do thereby become actual rebels: and as such ought with all their adherents and partakers to be presented and brought to condign punishment.

4. That myself will never bear arms in their quarrel, but if I shall be thereunto called will assist my Sovereign and his Armies in the defence of his Royal person, Crown, and dignity against all contrary

forces unto the uttermost of my skill and power and with the hazard of my life and fortunes.

p. 539.

5. That I will not discover the secrets of His Majesty's Armies unto the Rebels, nor hold any correspondence, or intelligence with them. And all designs of theirs against our Sovereign's Armies, or for surprising or delivering up the Cities of Worcester, or *Hereford*, or of any other of his Majesty's Forts, I shall truly discover to whom it shall concern so soon as ever it comes unto my knowledge.

6. That His Majesty's taking up Arms for the causes by Himself so oft declared in print is just and necessary.

7. That I will endeavour all I may to hinder populous Tumults, Risings, Rendezvous, Meetings, Confederacies, and Agitations of the people, Towns, Hundreds, and Counties, which are not warranted to so assemble by his Majesty's express Commission or by power derived from Him, by virtue of His Commissions, and in the sense He means and declared it.

8. I detest from my heart that seditious and traiterous late intended National Covenant and I protest *never to take it* [*in margin*: Without the Royal Assent].

All these particular Articles I vow and protest sincerely to observe without equivocation. So help me God.

I do straitly charge and enjoin without exception all Commanders and soldiers, Gentry, Citizens, Freeholders, and others within the County and City of Worcester to take this Protestation.

Maurice.

It is difficult to realize how anyone could expect that taking such an oath as this would be in the least binding or would have any effect. The union of the deposing power of the Pope and Parliament, the detestation of the Solemn League and Covenant, and the promise to sincerely observe all the articles, is so wide an order as is almost impossible to be believed. One feels sorry for the "commanders, soldiers, gentry, citizens, freeholders and others" within the county and city of Worcester who were to be compelled to take the Protestation at the bidding of a young man under thirty. The attempt seems to have caused dissension even among the Royalists. Townshend has a remarkable passage

on this. He appears to have set down his own objection to taking such an oath; but as this caused some dissatisfaction among his brother Royalists, he agreed to take it. But his hesitation caused the Governor, Colonel Samuel Sandys, and Bromley the Sheriff to doubt if Townshend was to be trusted. His account is as follows:—

p. 540.

Some being commanded by* [Prince Maurice to take the Protestation said] it was not needful nor necessary to press the same in a general way, but only upon such who were mistrusted and jealous of their loyalty and if they had any such thoughts of any† with such exception and explanation, as was‡ made of some Ambiguous terms,‡ they would for a testimony of§ their fidelity receive it, But told the Prince and the rest, That‡ some desired to be excused hereafter for meddling with any service, as being held in jealousy and suspicion. The Governor, Col. Sam. Sandys, and M^r H. Bromley, High Sheriff, said they were jealous of all, and thought‡ he was not to be trusted, nor fit to live in the Garrison, if ‡ he refused it. Whereupon (‡ some said) to take away the scruple and suspicion ‡ they would take it; but conceived ‡ they had merited a better opinion in all the passages of § their service to the *King and good of the Country*.

April 17th 1645. ||

On the 7th May 1645 Charles left Oxford on the celebrated "Leicester march" which was to end so disastrously. On the 8th he reached Stow-on-the-Wold, on the 9th Evesham, on the 10th Inkberrow, and on May 11th he marched to Droitwich, where he stayed till the 14th. Townshend's house was assigned as the lodgings of the County Commissioners. Townshend has left this memorandum as to those who stayed there:—

p. 681.

Mem.—When his Majesty was at Droitwich 11th May 1645 The Commissioners of the County of Worcester were to attend his Majesty

* A passage is erased and the words in brackets are written over.

† "Me" struck out.

§ "My" struck out.

‡ "I" struck out.

|| The date is struck out.

and some Gentlemen of Prince Maurice so that my house was assigned for their quarters whose names were

Sir Ralph Clare	Sir Dudley Wyatt	} with servants and horses.
Sir Richard Cave	M ^r Robert Wylde [<i>obliterated</i>]	
Sir Rowland Berkeley	M ^r Anth. Langston	
Sir James Crofts	M ^r Rob. Wylde	

It is not quite clear whether it was not Townshend's house at Elmley Lovett that is here meant; it is not known that Townshend had a house at Droitwich. The two following certificates, one by Prince Maurice and the other by the Quarter Master General, make it clear that Townshend's house at Elmley Lovett was at that time occupied by the County Commissioners:—

p. 681.

By Prince Maurice.

Whereas I have assigned M^r Townshend's house in the parish of Elmley Lovett for his Majesty's Commissioners of this County to quarter there, you are therefore to exempt that house from quartering of any other person whatsoever without my express order for the same. Given at Worcester this 11th day of May 1645.

Maurice.

The Quartermaster General of his Majesty's Army being shewed the prince's warrant and order, He made the Ticket following.

No soldiers are to quarter in M^r Townshend's House at Elmley Lovett, which is only assigned for the Commissioners of the County of Worcester.

B. Pegomme,
Q. M. General.

How long the County Commissioners stayed at Elmley Lovett is not known. On the 14th May Charles left Droitwich and went to Cofton Hackett, where he slept. On the 15th he went to Lord Ward's at Himley, on the 31st May he carried Leicester by storm, and on the 14th June was defeated at Naseby.

Townshend's Diary contains no direct reference to Naseby,

nor to the King's subsequent march across the county from Wolverhampton to Kidderminster, Bewdley and Bromyard. There is an indirect reference to the results of the battle at a meeting held by Prince Maurice's order on the 30th June 1645 at the Guildhall, Worcester, to raise at once 50 horse and 2000 foot to meet His Majesty's requirements, and £3000 to be paid in the space of ten days to the Sheriff. The report of the meeting is as follows :—

p. 541.

At the Townhall within the City of Worcester this last of June 1645.

Whereas it pleased his Highness Prince Maurice at a general Assembly of the Knights, Gentlemen and many sufficient freeholders of this county to propose the raising of 2000 foot and 50* Horse for and towards a present requirement of his Majesty's Army. We have upon consult agreed and consented that there shall be within the space of 10 days the sum [of] £3000 assessed and paid unto Henry Bromley Esq^{re}, High Sheriff of this County, which said monies shall be assessed by 3 or more of the sufficient Inhabitants of every parish according to the Assessment of the Monthly Contribution. And also that they be assistants to the Constable for the more speedy Collection of the same, only in money upon pain of every person so refusing, to have it collected by parties of Horse and Foot a double proportion. And also to be esteemed and dealt withal as persons disaffected to his Majesty's service. Provided that no part of the aforesaid monies so raised and paid in shall be disbursed or disposed of but for the raising of the said 2000 foot and 50 Horse and for no other use, intent or purpose whatsoever. And it is humbly prayed in consideration of this great sum so cheerfully consented unto, that all those places, or towns, which have long borne the

p. 542.

burden [of free quarter†] may be speedily freed; And that those many gracious orders long since granted by his Majesty, and their Highnesses Prince Rupert and Maurice for the ease and benefit of the good subjects of this County and the regulating of the soldier may be again confirmed at this next Quarter Sessions and put in speedy execution.

Maurice.

* It has been written 5000, but the last two ciphers are struck out.

† These words are struck through.

Maurice's difficulties were increasing. Worcester seemed to be in great danger. On the 1st July Lord Leven, who commanded the Scotch army, and was then at Nottingham, wrote to the Earl of Manchester that on the next day, the 2nd July, he would set out for Worcester. He marched by easy stages, but was getting uncomfortably close. On the 8th he reached Alcester.

It is not clear when Maurice first heard of the Scotch advance. He issued on the 7th July the following order for all able-bodied persons between 16 and 60 to come in and work on the Worcester fortifications upon pain of death :—

These are to command you immediately this day upon sight hereof (all excuses set apart) to summon and bring in to work at the Fortifications of the City of Worcester all able persons of body between 16 and 60 within your parish and Constablewick together with competent provisions for the maintenance of the said workmen. And also all sorts of tools as Spades, Mattocks, Shovels, Axes, Bills, and Pickaxes upon pain of death to be executed upon them that disobey your summons; and that you present to Me, the High Sheriff, or the Commissioners the names of all persons summoned and brought in by you, and also of all those that are absent, or neglect or contemn to yield obedience, that

p. 543.

punishment may be inflicted upon them accordingly. And you are not to depart without licence. Dated at Worcester this 7th day of July 1645.

Maurice.

For some reason Leven changed his mind, and instead of investing Worcester determined to cross the Severn and invest Hereford. Possibly the defeat of a reconnoissance which the Scots sent out from Alcester towards Worcester may have brought about this change, as they marched to Pershore, but alleging that Upton bridge was unsafe for the passage of troops returned to Alcester and marched from there to Droitwich, which they reached on July 12th. Maurice did not venture to attack, but

allowed them to march quietly to Bewdley, where they crossed the Severn, and thence to Tenbury on July 20th and on to Hereford, which was reached July 30th. The Scots besieged Hereford until the 1st of September, when Charles carried out the greatest military operation of his life—its relief.

Worcester had been strengthened, and provided the garrison did not mutiny was in no immediate danger; but the state of things there was very bad. The repeated plundering by the Royalists, in spite of orders and instructions to the contrary, had irritated the people against them. On the 10th October Maurice issued the following order for regulating Governors and soldiers against seizing on men's persons, imprisoning them and seizing their cattle:—

p. 528.

An Order for the Regulating of Governors and Soldiers against seizing on men's persons, imprisoning them, seizing on their Cattle, etc.

Whereas I am informed it hath been a late practice by subordinate Governors and other inferior Commanders and officers, to assume a power for imprisoning and restraining the persons, and seizing the goods and Cattle of divers persons, and releasing them at their own wills; without giving any account of the same: which irregular proceedings have tended much to the grievance of the said Inhabitants of this Country, and dis-service of his Majesty. For the avoiding of such inconveniences and abuses hereafter. These are to signify to all whom it doth or may concern That I do hereby expressly forbid the Governors of all subordinate Garrisons or Forts and all other officers of what quality soever within this County, to presume or take a power to restrain or release the persons, or seize or dispose the goods or cattle of any the said Inhabitants upon any pretence whatsoever without special warrant for the same under my hand, or the like from Col. Samuel Sandys, Governor (under Me) of this Garrison and Commander in Chief of all

p. 529.

the forces in this County. Hereby likewise authorizing all whom it may concern to deny obedience to such Commitments, warrants, and orders as are not qualified as aforesaid. And that no person shall be committed to, or detained prisoner elsewhere than in the Marshalsea to

this Garrison, except by special order as aforesaid. Given at Woreester under my Hand and Seal at Arms this 10th day of October 1645.

The Major of this Garrison is to
Maurice.
give orders for publication of this my order.

It must not however be supposed that the Royalists had any monopoly in illegalities and plundering. On the 26th May Massey had carried Evesham by storm; Colonel Rouse was appointed Governor. Like the Royalists, the Parliament men wanted money, and they proposed to collect the monthly contribution of £3000 exactly as the Royalists had done.

From May onwards Evesham was the head-quarters of the Parliament in the county. From there notices were sent out from the Committee of the Parliament demanding the arrears of the monthly contribution. A document in Townshend's collection is their demand on Elmley Lovett; it is dated Evesham, the 16th October 1645. It demands £10 monthly from the parish (the Royalists got £10 18s. 0d. when £4000 had to be raised*). The contribution was said to be twelve months in arrear, and the parish were told unless they paid on the 17th October they would be at peril of pillaging, plundering, your houses fired, and your persons imprisoned. Even the most greedy Cavalier could not have gone further:—

p. 530.

A warrant from the Committee of Parliament at Evesham for arrears of Contribution.

Whereas for the times past our warrants have been neglected, and no monies hath been brought in for the months past, But when we came to gather our monies the Constable hid himself and not only so but gave Alarum to the Castle, whereby we had like for to have been taken. These are therefore strictly to charge and command you that are Assessors to assess and collect the Monthly contribution according to the rate of £3000 in the Shire being ten pounds monthly for your township to pay. And you that are parishioners to pay your Monthly Contribution which is demanded of you; And the Constable and those which

* *Ante*, p. 99.

are officers to gather up the Monthly Contribution and to make payment of the same upon Saturday next being the 17th day of this present Month of October to me at my quarters at Evesham at M^r Heralite's house. Hereof fail you not as you will answer the contrary at your perils of pillaging, and plundering, and your houses fired, and your persons imprisoned. Given under my hand at Evesham this 14th day of October.

Jo. Loyd.

To the Constable and
Tything men of Elmley Lovet.

Your town being twelve months in arrears
to us, the last Month being September.

There is one other document without any date or any heading, but which appears to belong to the autumn of 1645. It gives a picture of the misery and desolation that the war had brought about better than any one instance of robbery or rapine. It is as follows :—

p. 545.

That the Country is fallen into such want and extreimity through the number and oppression of the Horse lying upon free quarter that the people are necessitated (their Hay being spent) to feed their Horses with corn, whilst their Children are ready to starve for want of Bread.

Their exacting of free quarter, and extorting sums of money for the time of their absence from their quarters, mingled with threats of firing their Houses, their persons with death, and their goods with pillaging.

Their barbarous seizing men's persons, and compelling them to ransom themselves with very great sums of money to their undoing; and disabling them to assist his Majesty, and that without any order, or warrant; as (for instance) M^r Foley, the two M^{rs} Turvey and many others.

Their daily robberies of all Market people, killing and wounding men who resist, and stand on their own defence, their contempt of all discipline, disobedience to all orders, Quartering where they please and how,

p. 546.

as long as they list, so it be in security, and without duty.

Their opprobrious and base language of the Commissioners, intermingled with scorns and threats.

Their assaulting and seizing on the person of Sir Ralph Clare at his own house by one Major Fisher and his company without any Order; Against whom is reserved exemplary justice and reparation.

That the quarters which were assigned to the 400 Horse belonging to this County being taken from them, and allotted to others, hath enforced some officers to give over their Commands; the rest to live upon free quarter, being disabled to recruit their shattered troops.

That all the country lying between Severn and Teme, and on the banks of the Severn (which are his Majesty's only secure quarters) And also the parishes adjacent within 4 miles of the City, are by free quarter of the Horse eaten up, undone and destroyed, together with the country lying about Kidderminster and Bewdley, with their several Armies passing to and fro, which should, and could, have plentifully supplied the City with all manner of provisions against the time of a siege.

p. 547.

That the Insolencies, oppressions, and Cruelties have already so disaffected and disheartened the people: that they are grown desperate, and are already upon the point of rising everywhere, and do not stick to say that they can find more justice, and more money, in the Enemy's quarters than in the King's.

Pillaging and plundering were not confined to the poor, or the small farmer. Townshend himself was made to feel that war knows no exceptions; he was treated contrary to all orders or warrants, as the following document shews:—

p. 682. Mercurii 3^o die decembris 1645 apud Wigorn.

By his Majesty's Commissioners for safeguarding of the County of Worcester.

Whereas Hen. Townshend of Elmley Lovet within the said County Esq^{re} by order of his Highness Prince Maurice then Lieut.-General of his Majesty's Forces in this County, and by warrant from the Quarter-master General of his Majesty's Army did quarter the said Commissioners at his house in Elmley aforesaid (the rest of the parish being assigned to Colonel Wray for his quarters) when his Majesty quartered at Droitwich in the said County. And besides the said M^r Townshend had then 60 of the said Col. Wray's horse forced quarters in his meadows: And yet notwithstanding he is assessed by the Constable, assessors and parishioners of Elmley aforesaid towards the payment of the Composition made for payment of the Quarters of the said Col. Wray when he was absent upon duty. It is therefore thought fit and so now ordered by his Majesty's Commissioners that the said Henry Townshend (for the causes aforesaid) shall be freed and discharged of

p. 683.

and from any sum or sums of money which are or shall be assessed on him by the parishioners of Elmley for or towards the payment of the said Composition for Quarters, And that the sum assessed on him for the same shall be borne and payed by the rest of the parishioners of Elmley aforesaid proportionably.

Copia extracta per Steph. Richardson Cler. Com.

Mem.—All these 3 warrants and orders are according to the original.
Teste me.

H. Townshend.

The picture of the county in 1645 is finished with a copy of the orders regulating the Teme Valley Association which met on Woodbury Hill.* They were presented to the Governor on the 6th December 1645, and give a very fair idea of the organization of this association for the protection of property :—

p. 801.

¹Orders for the right regulating of the Association of the North west part of the County of Worcester.

1.² That a strong watch be kept in every particular parish, and upon the discovery of any passengers, whose persons and business are not known, warning to be given by the watch by shooting off a gun; and if any violence be offered to any man's person, house, or goods, that then an alarm be given by the beating of a drum and ringing of bells.

2.² That upon an alarm given either by day, or night, every man within hearing thereof shall presently repair to the place of the Alarm to assist in the best manner that he can, And if any man shall negligently or knowingly refuse to come in, and so to assist, that then upon evident proof made thereof at the next rendezvous he shall be reputed an enemy to the peace of this country, and be denied future protection, and shall be dealt with as if he had never associated.

3.³ That in all our meetings, at our particular and general rendezvous, all Papists and other persons adhering to or holding intelligence with Papists be excluded the field and list of our communications. And if they or any of them shall offer to intrude into our Assemblies, at such

p. 802.

meetings, and after warning given, will not civilly depart, that they then

* See *ante*, p. 221.

In the margin :—

¹ Orders. *The North East Association presented to the Governor Dec. 6th, 1645.*

² *The like.*

³ *The like added. Schismatics.*

shall be disarmed, and the arms so taken from them shall be delivered to the Constable of each particular parish respectively where such person so disarmed doth dwell, to be kept for his Majesty's service when occasion shall be to make use of them.

4. That whosoever being of ability of body to do service, or his son or sons, servant or servants to each particular or general rendezvous where the Country doth appoint to meet, that then every person so refusing to come in or send shall be reputed an enemy to the peace of the Country and shall be denied protection.

5. That no Papist, or Popish recusant, or any other adhering or holding intelligence with Papists shall be admitted to associate or to receive the benefit of public protection.

6.⁴ That all such persons, Popish or otherwise, that are denied protection as is expressed in the precedent articles be dealt with in manner following, viz. :

1. That if soldiers upon their march come to desire quarter for a night in any parish, that they be by the Constable billeted at such persons' houses so long as they have provision either for man or horse.

p. 803.

2. That if any Horses or Teams be to be pressed for his Majesty's service, that the Constable be not suffered to take any other, so long as any horse or team can be found in the custody or possession of any of the persons abovesaid.

3. That if any man or men be to be pressed for any public employment for his Majesty's service, that the Constable be not suffered to take any other person, so long as such are to be found within his constablewick.

4. That if any violence be offered by soldiers or others to the persons and estates of any such, That no one within the Association presume to aid or assist them, upon pain to be excluded from protection himself.

7.⁵ That forasmuch as fair arms are the most necessary defence and for the better encouragement to provide the same, and in regard that many that are already provided of such Arms are men but of mean ability, It is further agreed upon that gunpowder be provided in every parish at the public charge, and every night a quantity be delivered to the watch to supply the discharge of that duty.

In the margin :—

⁴ *The like penalty for 10.*

⁵ *The like for Arms.*

p. 804.

8.⁶ That if any servant or person of mean ability shall be wounded or maimed in this service, that then care be taken for the cure of his wounds and future maintenance at the public charge of the Hundred wherein such person so wounded or maimed doth dwell or reside at the time of his wound.

9.⁷ That these orders be published in every particular parish and that every person be careful to observe the same, as he expects any benefit by this association and mutual protection.

⁸ Poor men to appear only at second meeting, their masters where they are at work to bear their charges; where the Alarm given, if refused to appear, not to receive any relief of the parish for him and his family.

⁹ No meeting upon pain of exclusion the association and benefit of protection.

Any person detained by a soldier (except for contribution) without no distress be had; or other just imposed tax, the whole association to rise and demand justice and satisfaction for losses.

¹⁰ Not to lay down arms without the liberty of the prisoner and satisfaction. But to apprehend any soldier which shall pass from the garrison which hath so detained. The party that will not rise make satisfaction to the party damnified.

Charles's fortunes were now desperate. He had neither an army nor money, and any attempt to raise either or both seemed foredoomed to failure. He, however, determined to make a final attempt—a gambler's throw. For this purpose he appointed a celebrated Cavalier officer, Sir Jacob Astley, in 1645 Lord Astley, to go round the garrisons in the Midlands to try to raise an army. This was the advice that some months before Sir Richard Willis had given Charles at Newark, and which he had refused to follow. He now recognized it was his last hope, and accordingly gave Astley the following Commission:—

p. 811.

Charles by the Grace of God, etc., to Lord Astley, etc.

Whereas by our Commission under our great seal bearing date with these presents have constituted Jacob Lord Astley Lieut. General of all

In the margin:—

⁶ *The like.*

⁷ *The like.*

⁸ *The like.*

⁹ 8.

¹⁰ 9.

our Forces, Horse, foot and dragoons, of the trained bands, volunteers and others raised or to be raised within our several Counties of Worcester, Stafford, Hereford and Salop, and in our cities there, with power to impress men and levy forces for our Service, etc.

Whereas information hath been that the settled contributions of the 4 Counties and such other as are in rebellion against us, and not assigned to others, And money assessed and gathered for Delinquents' estates or otherwise for public use in recruiting of forces. If the accounts were truly taken and the arrears paid in and required from them that have received.

We authorize certain gentlemen to be our commissioners, etc., together with the said Lord Astley (1) for the County of Worcester and City and such parts of our Counties of Gloucester and Warwick as have been and now are contributing to our Garrison of Worcester or which are or shall be in arms against us or assisting to this Rebellion and not assigned to other Garrisons, You the said Jacob L. Astley our Lieut. Gen., Col. Sam. Sandys, Governor of our Garrison of Worcester, Hen. Ingram, Esq^{re}, High Sheriff, William Evett, Esq^{re}, Mayor of our City of Worcester, Sir Jo. Pakington, K^t and Bar^t, Sir W. Russell, Bart., Sir Ralph Clare, K^t of the Bath, Sir Henry Herbert, Sir Rowland Berkeley, Sir Jo. Winford, Sir Martin Sandys, Sir Ed. Barrett, K^t, Hen. Bromley of Holt, Col. Herbert Price, Joseph Walsh, William Child, Edward Peverell and Jo. Evet, Esq^{res}, etc., to be our Commissioners, etc.

1. Do give full power and authority to any five or more to assess and buy and to issue out warrants for the payment of Contribution to our Treasurer of War or his deputy at such time and place as you shall think fit and you our Lieut. Gen. shall approve of.

2. The Treasurer to pay the officers and soldiers. For raising or recruiting of forces, providing of arms, etc., as the Commissioners with the consent of Lient. Gen. and not otherwise, etc. And to make a particular account every month, or as often as you shall require, of receipts and disbursements. And the Commissioners to approve or disapprove and control as shall be just and reasonable.

p. 812.

3. Commissioners to assemble and meet together at such time and in such places or at such Garrison as you respectively shall agree on; and to receive, hear, and examine the complaints and Grievances of the inhabitants of all places which shall be brought touching any oppression, violence, exaction, imposition, plunder or other injury committed or done by any officer or soldier to the person or persons of any Inhabi-

tants within your several divisions, or to any of their goods and estates. And after examine to make *known the same* [*in margin*: defect] to our Lieut. General or such as he shall authorize under him in his absence. To the end that such offenders may receive condign punishment and the parties to have right and satisfaction as our Lieut. General shall think fit.

4. Commissioners to inquire and take account of all and singular sums of money, plate, cattle, corn and other provisions for horse and man; or for arms and Horses have been received since 10 November 18^o Car. I. (1642) which hath been taken and levied for us for our use, etc., or under pretence of sequestration of Delinquents' estates against us. Or for trading to London or elsewhere contrary to our proclamations, etc. And what is found not employed, etc., to be collected by the power of the Lieutenant General and employed for raising of forces, etc.

5. All former grants and assignments to any particular person or persons of any Salary, stipend or sum of money to arise out of Delinquents' estates to cease and determine.

6. To take account and receive all sums of money, goods and other things which shall arise out of Delinquents' estates, and to employ the same for raising and recruiting of new forces, providing of arms or payment of soldiers. To call before them any that have meddled herewith and to examine upon oath concerning all the premises.

7. Commissioners with the consent and appointment of Lieutenant General to take musters of all soldiers as often as he and you shall think fit; That pay may be according to their number.

p. 813.

8.¹ That no free quarter be imposed upon the country's paying Contribution unless it be on a march and by direction of Lieutenant General and with the consent of the Commissioners, and that as sparingly as may be.

9.² That no Governor of any Garrison, Commander, officer or soldier shall require or lay any imposition upon any person upon any pretence whatsoever over and above the Contribution, But what provisions shall be needful for any of our Garrisons shall be sent for by order from our Lieutenant General with the consent of the Commissioners and not otherwise.

10.³ That if an officer or soldier shall imprison any person he is to

In the margin:—

¹ *No free quarter.*

² *No ransom men's persons. Nor provisions without order.*

³ *No imprisoning without a charge.*

shew cause of his so doing to the Commissioners within 24 hours, that they may hear and determine the same and Lieutenant General shall approve.

11.⁴ That if any officer or soldier shall plunder or take any goods of any person upon pretence of delinquency, or otherwise, and shall not bring the goods to the public Treasurer; felony and robbery; and the parties to be proceeded against accordingly.

12.⁵ No Governors, officers or soldiers not to contradict or interrupt the Commissioners, or of any power hereby given, but give them all ready assistance by sending out of parties of Horse and foot for bringing in Contributions or provisions as shall be ordered. That they provide fit accomodations in our Garrisons And be further aiding to them.

p. 814.

13. That two of the Commissioners as our Lieutenant General shall think fit to make their residence with him for his assistance, which persons of each county being 8 in all have power with the consent of the Lieutenant General to order and dispose all things which may concern the general good of the 4 Counties; or in times of marching or upon other general occasions.

14. To give an account to us, our Treasurer and Chancellor of Exchequer or one of them of your doings. And to observe and to be governed by such further orders or other Instructions as shall be given you under our signet; or shall be given you by Prince Charles.

The Commission to continue during pleasure.

Dated at Oxford 6^o Dec. 21^o Car. 1645.

In addition to his Commission, Astley received the following secret instructions as to how he was to carry out his duties under the Commission :—

p. 815. Abstract.

Heads of

Instructions to Lord Astley to observe in the exercise of his Majesty's Commission.

1. Into what Forts or Garrison he shall come, the keys of the town every night to be delivered unto him, and the word received from him.

2. A weekly allowance of £20 per week of the several 4 Counties for his table and stable to begin at the date of the Commission.

In the margin :—

⁴ *Soldiers seizing of goods to bring them to the Treasurer. Felony.*

⁵ *Governors to assist the Commissioners.*

3. For his better assistance in assessing and disbursing the Contributions, Recruiting of forces, taking of accounts of money as have been assessed and gathered in those Counties for public use and our service. In receiving and hearing the complaints of the County have appointed and authorized together with him certain Gentlemen to be helpful (yet subordinate) that is to say for the County and City of Worcester Col. Samuel Sandys, Governor, etc. as in the Commission to the number of 18.

4. That no affront, trouble or Interruption be given or offered to the Commissioners or any of them by any Governor, Commander, officer or soldier of Horse or foot, And if any such affront be done, to take care that right be done according to his good discretion ; And to assist them in the execution of those things within the compass of the Commission, which they shall conclude and agree upon and he himself shall agree of.

p. 816.

5. Failing of payment of contribution to be levied by parties of Horse or foot, and in such manner only as he shall direct and appoint and not otherwise.

6. To prevent (as much as in him lies) all free quarter upon the country paying their contribution and likewise plundering, And to take care no impositions be taxed upon any goods passing by or through our Garrisons by land or by water (but the Excise) And if any governor, officer or soldier shall oppress any Inhabitants, assess or enforce them to make any payments, or take from them any of their goods upon any pretence whatsoever, unless it be for Contribution, and other necessary payments, and that by or according to this order you shall cause severe punishment to be inflicted upon such as shall offend by death, imprisonment or otherwise. And that the value of what they shall so exact to be defaulted out of their pay, if you shall so think fit.

7. To keep the country from Rendezvous and tumultuous assemblies of men without authority from us, Prince Charles or his order: the opposers to punish or remove by force.

8. No troops of Reformadoes of horse to be continued by any Colonel without his knowledge and especial order. To be listed in troops ; to watch and do duty.

p. 817.

9. If the City of Worcester or any other Garrison be besieged he may either stay in the Garrison or take the field.

10. To encourage Gentlemen that will raise Horse or foot for service.

11. To have the Allowance and assignment of Prince Maurice had

for arms, raising of a Regiment of 1200 foot, The Contribution assigned to him for his Lifeguard of Reformadoes to be employed by him for raising a Regiment of Horse for his use.

It is obvious that Astley's task was no easy one, but he discharged it and discharged it well. He was almost successful, and of all the incidents in the war his failure is one of the most pathetic.

CHAPTER VIII.

1646.

Matters looked very black for the Royalists at the beginning of 1646. The King was at Oxford, whither he had gone from Newark at the end of 1645. He was without any actual army in the field, but had at last adopted the advice Sir Richard Willis had given at Newark in the previous autumn, when, if it had been acted on, it might have had some result—to collect all the men that could be found in the different scattered garrisons throughout the country, form them into one army and give battle to the Parliament. This task was entrusted to Lord Astley. In the early months of 1646 he was engaged in going round the Worcestershire and other Midland garrisons for this purpose. Meanwhile, at Worcester all kinds of disputes were going on. Foremost then, as always, was the question of pay and free quarters.

Townshend gives the following as the authorized rates of pay which was fixed at Oxford for the garrisons under Lord Astley's command in December 1645 :—

p. 829.

An establishment of pay for the Garrisons and forces within the Counties of Worcester, Stafford, Hereford and Salop made 6^o Dec. 1645 at Oxford.

per week.	At Bristow.		
	£	s.	d.
Lieut. Gen.	8	00	00
Lieut. Gen. of Horse	35	00	00
Commissary General of musters and provisions	07	00	00
Commissaries 2 deputies, to each .	02	00	00
Master of the Ordnance	04	00	00

	£	s.	d.
Secretary to the Field Marshal	03	00	00
Advocate Gen.	02	10	00
Quartermaster Gen.	03	00	00
Treasurer at war	05	00	00
his 2 clerks, to each	00	17	06 0.
The Treasurer's Assistant	03	07	06
Provost Marshall General	01	10	00
Scout master General	02	10	00
A Corporal of the Field	01	00	00
	<hr/>		
	78	14	01
Officers of a Garrison—			
Governor of a City and the forts belonging to it	21	00	00
Governor of a City or fort having not above 400 men	07	00	00
Major of a Garrison or city where no Deputy Gov ^r is	05	00	00
Col. Washington	15	00	00
Advocate of a Garrison	01	00	00 0.
p. 830. Commissary of victuals for a Gar- rison	00	15	00
Provost Marshall in a Garrison	01	00	00
Quartermaster in a Garrison	01	00	00
	<hr/>		
	51	15	00

This reduction in the authorized rate compared with previous scales* was most distasteful to the Royalist officers, especially as the reduced rates were not paid with any regularity. This doubtless led to a continuance of plundering and other exactions. The matter was brought up at the Epiphany Quarter Sessions, 1646. The Grand Jury made a presentment asking the Court to take steps to relieve them from the oppressive burdens and grievances to which they were subjected by the insolency of the soldiers and other most extreme pressure. The Court sent on the presentment to Lord Astley, asking him to

* See *ante*, pp. 125, 153, 176.

take steps to remove the grievances, to which he forwarded the following reply :—

p. 819.

The answer of Lord Astley, Governor, and Commissioners to the several heads of the petition of the Grand Jury at Christmas Sessions Jan. 22^o adjourned 1645 for the ease and removing of the Grievances, oppressions and free quarter of the Country.

By virtue of the powers and authority granted unto Jacob Lord Astley Field Marshall General of all his Majesty's Forces, and Lieutenant General of these parts, and his Majesty's Commissioners under the Great Seal of England dated at Oxford 6^o of December last for the easing of the Country of their Grievances and regulating the Soldiers, etc. We have taken into serious consideration the humble Petition of the Grand Jury of this present Quarter Sessions delivered unto us for the removal of those several Oppressions, burdens, and grievances wherewith this Country is now afflicted by the Insolency of the soldier, and other most extreme pressures. For a good redress thereof, we do think fit and necessary to order, and by these presents do consent and order—

1. That the aforesaid Commission together with the Instructions thereunto annexed shall effectually be put into execution in its full vigour and power.

p. 820.

2. That there shall be a present review of Prince Maurice' Orders made the 3^o of Feb. last 1644 and whatsoever may be found therein to conduce for his Majesty's service and the good of the Country shall be approved and continued and also such others added as the present necessities of the time shall be conceived convenient, and that the Grand Jury nominate some Gentlemen who shall attend the examination and perfecting of them.

3. That all Countrymen for all offences either Capital or Criminal (except only such as take up arms against his Majesty or against any of his Garrisons or Forces in the field) shall be henceforward only tried and punished by the known laws of the land, and not at all by a Court of War. Neither shall it be reputed in the Countryman a taking up of arms against his Majesty when he defends his house or goods against any soldiers which shall either enforce quarter without any order, or ticket, from the Commander in chief; or shall offer to assault his person or family, or plunder any of his goods, nor though he oppose or deny

quarter, yet he or they for such opposition shall upon complaint be severely punished.

4. That in the absence of my Lord Astley, Lieutenant General of this County, the Commissioners shall have equal power and authority

p. 821.

with such person or persons whom he shall entrust with the Command of the Country in all matters which concern the regulating of the soldiers, and doing justice to the Countryman in his Complaints, and whatsoever the Governor and Commissioners or the Major part of them shall order and decree shall be of full power and validity therein.

5. That the works for the fortifying the Garrison must go on, and warrants are already issued out for the arrears amounting to £2000 which is due out of many parishes within this county for the Fortifications: And the Grand Jury are desired to take care that money be paid and brought in, otherwise a new tax must of necessity be imposed until the works be finished. And if the said Arrears be paid in, no further charges shall be imposed. And there shall be a certain number of parishes to either Garrisons to the works allotted to perfect the same with all speed. Excepting the works of Severn Bridge which is expected and required to be speedily perfected by the Towns of Oyer within the Hundred of Doddingtree, according to their engagement of Rood works to Prince Maurice.

6. That all foreign parties of Horse or Foot belonging to any of his Majesty's armies in their march through the Country shall be con-

p. 822.

tented with such free quarter and entertainment as the parish, place, or person can give, And at their departure or during their time of stay shall not seize upon any man's person to enforce a Ransom, lay any tax or sum of money upon any parish, place or person, nor plunder their houses, horses or goods, But if any such insolency be done the countryman may lawfully oppose and defend himself therein. And complain to the Lieutenant General, Governor or Commissioners and exemplary justice shall be done on the offenders. Neither shall they quarter above one night in a place except upon orders from the Lieutenant General upon a very pressing occasion. Whereby their stay is prolonged for the better advancement of his Majesty's service.

7. That in all towns and parishes which are under the protection of his Majesty's Garrisons and where any arrears behind of Contribution will come in and upon account submit themselves for the payment thereof. In all such places, towns and parishes no man's person what-

soever that payeth his own Contribution shall be imprisoned, or his Horses, cattle or goods seized on for the neglect or obstinacy of others' defaults, But in such parishes or places which refuse to pay, and put themselves under the protection of the enemy, that whosoever is there taken must expect to be responsible for the Contribution of the whole parish.

p. 823.

8. That all persons of what quality soever shall have upon Market days free Ingress, Egress and Regress to the City of Worcester with their provisions, Horse, cattle or goods, without any imprisonment of their persons or detaining of their goods upon any pretence of Arrear of Contribution due to the soldier of the Garrison, either for himself or for any other person within his parish. And shall also have guards appointed for their security. And if any Commander, officer or soldier shall break this order, both reparation and good satisfaction shall be made to the Complainant and severe Justice shall be done to the offenders.

9. That the Treasurer of the Fortifications of Hartlebury (as he hath been twice already ordered) do come and give unto us a true and perfect account upon Oath, what parishes were allotted to work at the Fortifications there. The number of persons daily charged on every parish and by whom; how long the said parishes have been so charged, what sums of money hath been imposed weekly upon several parishes in lieu of men and teams, what sums have been received, what is in Arrear, and what hath been disbursed to the works.

p. 824.

10. The Lieutenant General is resolved that his Residence shall be in this Garrison, to be more ready, and near to give redress to all Complaints and grievances of the Country, and intends not to be away but upon his Majesty's special service and command.

11. The Fees of the Advocate shall be speedily made certain in particular, so likewise shall all Marshall's Fees and all other Charges for diet, lodging or any other thing known. And if either the Advocate or Marshall of the Garrisons or belonging to any Regiment shall exact excessive Fees over and above, or beside those mentioned in the Settlement, upon Complaint made thereof, severe justice shall be done according to the quality of the offence. And that a Court of War may sit at least once a week and may be kept.

Astley did not stop at merely replying to the Grand Jury's

presentment. He put forward the two following proposals, which he alleged if accepted would get rid of the necessity for free quarter for soldiers except when on the march :—

p. 825.

Jan. 22^o 1645. Propositions made by Lord Astley, Governor and Commissioners to the Grand Jury.

1. It is desired by the Lord Astley, Sir Charles Lucas and the Commissioners that the Grand Jury (who are the representative body of the County) would take order that two or more of the sufficient men of every parish may be responsible for the payment of the Contribution that so there may be no occasion for sending the soldier to collect it.

2. It is also desired that for the quartering the Horse of this County within the Garrison of Worcester the Grand Jury will take order from the several parishes that sufficient proportion of Hay and Oats be brought in That is to say from the adjacent parishes in kind, and from the more remote their proportion in money. And likewise that they take care for victualling of the Garrison according as the Governor and Commissioners shall think fit. These two being observed, it will enable his Lordship and the Commissioners to free the Country from all free quarters except upon a march.

Astley could hardly have expected the Grand Jury to agree to these proposals. They did not like directly to refuse lest a worse fate should come upon them, so they returned the following evasive answer :—

p. 826.

Jan. 23^o 1645. The Grand Jury's answer to the propositions made by my Lord Astley and the Commissioners.

1. It is a work beyond their power to enforce by their order any single persons to be responsible or engaged for the Contribution of the whole parish, yet for the better encouragement of others, they will not only upon demand deposit their own Contributions but also acquaint their neighbours what ease of their extraordinary pressures they are likely to receive by this good Commission, and what a hopeful issue is like to succeed, when every man will willingly and readily pay his taxes, which denied will be enforced upon them by constraint and be an occasion of soldiers coming to collect it.

2. Though extremely disabled even to poverty itself by continued taxes and impositions, yet to prevent an utter ruin of our Country, when

we are informed for what number of Horse provisions of Hay and Oats are to be brought in (for we desire all the Horse of the County to lie in the Garrison of Worcester), and for how long, and what provisions of victuals are in the magazine, and elsewhere, and what quantity of provisions more is desired, we shall not be backward to yield such assistance as our now much weakened powers will enable us. Desiring to understand what satisfaction shall be made for the same and by whom.

What was the result of this dispute does not appear.

Townshend had his own private difficulties. He made a complaint to Lord Astley and the Worcestershire Commissioners that the assessors of the Monthly Contribution for Hampton Lovett had assessed his farm at Crutch to Hampton Lovett, while in fact it was not and had never been part of that parish. That soldiers had been improperly quartered on his tenants. His complaint seems to have been justified, as the Commissioners made the following order in his favour :—

p. 551.

Veneris xvi die Januarii 1645 apud Wigorn.

Whereas Henry Townshend of Elmley Lovet, Esq^{re}, hath complained unto us, that the Assessors of the Monthly Contributions of the parish of Hampton Lovet have lately assessed his Farm of Crutch (in the possession of Henry Fisher and the Widow Tolley his tenants) towards the Monthly Contributions of that parish, though it be manifest that the said farm is neither within the parish nor Constablewick of Hampton Lovet, nor hath ever been taxed therewith, But being heretofore parcel of the possessions of the Nunnery of Westwood, hath ever since the dissolution thereof belonged and appertained to the Lords of the Manor of Elmley Lovet, and so doth at this present, as assistant to them in these extraordinary payments. And further complained that when any soldiers have been quartered within the said parish of Hampton Lovet, Dodderhill or Elmbridge, The Constables and parishioners there have generally quartered a great part of them upon his said tenants though their houses be (as aforesaid) out of their parishes and Constablewicks, to the great charges and losses of his said Tenants for redress of which grievances and for relief of the said M^r Townshend and his said tenants,

p. 552.

and to prevent all differences that may hereafter arise touching the said Contributions, quartering of soldiers and other military charges. It is

now ordered that the Assessors of the Monthly Contributions of the said parish of Hampton Lovet shall not from henceforth assess the said M^r Townshend or any of his tenants towards the Monthly Contributions or other Military charges of the said parish of Hampton, for or in respect of the said farm of Crutch, or any part thereof, or any the lands thereunto belonging; And if they have already assessed the said M^r Townshend or his Tenants towards any the said Contributions or other Military charges That he and they shall be discharged thereof, and that the same shall be laid and assessed on the whole parish of Hampton proportionately. And that the Constables and parishioners of Hampton Lovet and Dodderhill shall not send, or give order to send any soldiers (hereafter quartered in their or either of their parishes) to quarter at the Houses of the said Henry Fisher and Widow Tolley, or either of them,

p. 553.

or upon any other part of the said farm of Crutch. And in case any soldiers so sent or ordered by any the said Constables or parishioners of Hampton or Dodderhill to quarter on the said Farm of Crutch or any part thereof shall force or take any quarter there, that the Constables or parishioners which shall so send or give order to send the said soldiers to quarter there, shall make reparation and satisfaction for the same quarter (so forced or taken) to the said M^r Townshend or his said Tenants. And it is further ordered that the said farm of Crutch, and the occupiers thereof, shall from henceforth be contributors and assistant with their Monthly Contributions to the said M^r Townshend, as belonging and annexed to his demesnes of his Manor of Elmley Lovet, and to no other parish or places. And that the tenants of the said Farm of Crutch shall join with and assist the Constablewick and parish of Elmbridge, and no other parish or place, in the quartering of such soldiers as shall be imposed upon or assigned to them to quarter according to the proportion of their Estates and no otherwise. And we require that the said Constables and parishioners of Hampton, Dodderhill and Elmbridge do conform themselves to this order until they shall and do shew good cause before us to the contrary.

Jos. Walsh. Hen. Ingram, Vic. Com.

Ed. Pennell. R. Clare.

To the Constables and Assessors
of Hampton Lovet.

Row. Berkeley.

Mart. Sandys.

There was another matter in which Townshend was mixed up—the accounts of the late Sheriff Daniel Dobbys.* Towns-

* See *ante*, p. 167.

hend owed, or was alleged to owe, Dobbyns money; but as Dobbyns had been declared a delinquent, the Royalists, who were looking everywhere for any money they could get, thought it would be well to make Townshend pay over the balance, £70 16s. 10d., which was due from Townshend to Dobbyns, to them. Astley accordingly made the following order :—

p. 651.

At the Cardinal's Hat in Worcester on Thursday the 12th day
of Feb. 1645.

Henry Ingram	Sir Edward Barrett	} Commissioners.
Sir Will. Russell	Will. Evett, Mayor	
Sir Martin Sandys	Edward Pennell	

Whereas it doth appear to the said Commissioners that Henry Townshend, Esq^{re}, by his own acknowledgment hath received several sums of money amounting in the whole to the sum of £70 16^s 10^d out of M^r Dobbins' Estate (who is a Delinquent according to his Majesty's Instructions) lying in the County of Worcester; and it now appeareth to the said Commissioners that Francis Walker hath disbursed the sum of £224 16^s 8^d in Iron Guns, Bullets and Grenadoes for his Majesty's Garrisons of Worcester and Hartlebury. It is therefore thought fit by the Right Hon^{ble} the Lord Astley and the said Commissioners That the said M^r Townshend shall forthwith pay the said £70 16^s 10^d to Sir Robert Howard, Knight of the Bath, who hath the sum of £224 16^s 8^d aforesaid assigned to him by the said Francis Walker, which is ordered accordingly.

Jacob Asteley.

Copia examinata Westwood, Cler. Com^{rs}.

Townshend was very indignant at this order being made against him. He knew nothing of it; he had not been heard in his defence, and had good reasons to allege against it. Next day, the 12th February, he sent in the following petition :—

p. 652.

To the Right Hon^{ble} the Lord Astley, Lieut.-General of his Majesty's Forces, etc., and his Majesty's Commissioners, etc.

The Humble petition of Henry Townshend, Esq^{re}

Humbly sheweth—

That whereas your Lordship was pleased yesterday being the 12th of February to sign an order for him to repay the sum of £70 16^s 10^d to

the Hon^{ble} Sir Robert Howard, which your petitioner received out of the Rents of Mr Dobbins, a delinquent, without any hearing what your petitioner could say in his own defence, do most humbly pray that your lordship would be pleased

That your Lordship and the Commissioners for Delinquents' Estates and the other Commissioners will be pleased, that there may be a time assigned for a fair hearing thereof And then shall leave it to your justice to censure him as the right of his cause shall challenge.

For which he shall ever pray, etc.

Townshend followed this petition up by a long statement of reasons why he ought not to be asked to pay over the money. They throw rather an instructive light on Rupert's mode of doing business in the county :—

p. 653.

October 30th 1645. Mr Townshend's reasons for the detaining of the £70 16^s 10^d received out of Mr Dobbins' Estate.

1. That Mr Townshend ought not to repay the sum of £70 16^s 10^d according to an order made by the Commissioners of Delinquents' Estates within this County 12th of February 1645. He humbly presents to the Commissioners his Highness Prince Rupert's reference to them May 9th 1644 at Shrewsbury* concerning which Mr Townshend hath never received any positive Answer, neither could he well press the same: Forasmuch as his Majesty had regranted the benefit of all [*in margin*: Feb. 11th 1644] delinquents' Estates for the advancement of the Association, under the great Seal, during the time his petition was in Agitation, which Association never took effect.

2. He humbly presents these Inferences upon Prince Rupert's Reference.

1. That if the Allegation of the petitioners be true that then the Commissioners are to take further order for the petitioner's release and to give his Highness an Account.

2. That the Allegations are true in such sort as they are therein set forth in every particular, viz. That—

Mr Daniel Dobbins was High Sheriff of Worcester 1642 ut pat.

Mr Townshend bound for £200 with him to Mr^{rs} Evett for the payment of £100 with Interest, 1642 ut pat.

* See *ante*, p. 168.

Mr Dobbins made an assignment to Mr Townshend for the receiving of his Rents to satisfy the bond Dec. 1643 ut pat. In Register's Hands.

Mr Townshend received part of Michaelmas Rent due out of Kidderminster and Christmas Rent £50 due from Martley in p. 654.

December 1643, which was before the date of either the Commission of delinquents' estates now in being and also before his Highness Prince Rupert's Grand Commission [*in margin*: In January 1643] for disposal of Estates.

The £10 Alimony money was given to Mrs Dobbins by her petition by letter; which was shewed to some of the Commissioners for safeguarding the County which conceived it reasonable in respect she and her five children were ready to starve for want of present subsistence.

3. Since the allegations are true as they are set down in the petition, the petitioner doth humbly desire the Commissioners that they would be pleased to afford him that right and Justice (as they have done to Mr Broad and others who have brought orders from Prince Rupert to receive Mr Dobbins Rents) and have had orders from them for confirmation thereof, to receive the residue of the moneys for satisfaction of the said engagement out of Mr Dobbins' estate, and that the late order made 12th of February 1645 may be reversed.

4. Though Sir William Russell had a former Commission for Delinquents' Estates, yet it was superseded by this present Commission; and the money received of Mr Dobbins' Estate was between both, the first called in, and the second Commission not passed under the Great Seal until after Christmas. Howsoever Prince Rupert having by his

p. 655.

Grand Commission power to dispose of delinquents' estates, and did dispose of them; and the Commissioners in case of Captain Broad did grant orders for him to receive Mr Dobbins' Rents, by virtue of Prince Rupert's Orders; the like justice doth the petitioner* expect from the Commissioners.

5. That if the petitioner were liable to return an Account of the Rents received after sequestration, he cannot be liable for such Rents and Lands as were never sequestered, or questioned which was the Rents of Kidderminster, which was £xx xvi^s x^d. And as for that of Martley which is £50, if they please to allow the Alimony money for the necessary relief of Mrs Dobbins and five children, there is only £40 in question.

* "Mr. Townshend" struck out.

6. Prince Rupert upon the petitioner's complaint did conceive that the Rents received by the petitioner and paid in by him for and towards satisfaction of the said bond was a thing reasonable and just, which is fully implied in the words " (that they take such further order) " so that his Highness Prince Rupert approved that order which the petitioner took before towards the discharge of the said bond, or otherwise what needed those words " to take further order."

7. The Law is the rule of Justice, And by the Law no man's estate is forfeited before Conviction, M^r Dobbins (though a Delinquent) yet never was attainted by any legal trial, though there have been a Commission of Oyer and Terminer sent down for the trial of Delinquents, and never as yet sat upon.

p. 656.

8. Though Sir William Russell had a former Commission for Delinquents' Estates yet it was superseded by this, and this also may be questioned as to be superseded by Prince Rupert's Grand Commission, By virtue whereof M^r Townshend doth aver that the Prince confirmed his concerning the Rents, and referred the rest to the Examination of the Commissioners and to them to relieve him.

It does not appear how the matter ended.

Another document a little later in date, 3rd March 1646, may have some bearing on the case. It is a protection signed by Lord Astley for Mrs. Dobbins setting out that she is a good Royalist, pays her contribution, and ought not to be molested :—

p. 679.

Jacob Lord Astley, Baron of Reading, Lieut. General of his Majesty's Counties of Worcester, Hereford, Salop and Stafford, and Field Marshal General of his Majesty's Army.

Whereas I am truly informed of the loyalty and good affection of M^{rs} [Ursula Dobbins *obliterated*] U. D. wife of M^r D. D. of etc. she beareth unto his Majesty and Cause, And for that she hath and duly doth pay her Contribution towards the maintenance of his Majesty's Army, and all other incident charges and taxes whatsoever, These are therefore to require and command all Officers and Soldiers of his Majesty's Army, and all others whom it may concern, that they and every of them do forbear to molest, trouble or interrupt the person of the said M^{rs} U. D. wife of M^r D. D. aforesaid, her Children or Servants, nor any their goods, household stuff, Cattle, Horses, Hay, Corn or any

other goods, to drive, plunder or carry away by violence any the goods appertaining to her the said M^{rs} U. D. Hereof you nor any of you may fail as you will answer the Contrary at your utmost perils. Given under my Hand and seal this 3rd day of March 1645.

Jacob Astley.

To all Commanders, Officers and Soldiers of his Majesty's Army, Garrisons, Forts or Castles, or any others whom it may concern.

The protection of Mrs. Dobbys was one of Astley's last acts in the county as Lieutenant-General. The army he had been collecting from all the forts and strongholds in the Midlands was at that date assembled at Worcester. One of Astley's difficulties was to feed them. Nothing shews better the straits to which he was reduced than the following order to the Governor of Hartlebury :—

p. 548.

To Captain William Sandys, Governor of Hartlebury Castle.

By reason of the present necessity of this Garrison you are hereby authorized and appointed to use your uttermost diligence to force the payment of the 36th month's Contribution of the towns subscribed in unto you within ten days next after the date hereof, Letting the Inhabitants of the said towns know That although regularly the same should not be paid before the next month, yet the free and cheerful performance thereof will be a very acceptable service at the present. And as they shew their readiness herein, they shall have so much the longer time given them for the payment of the next. But if they are backward and slight in the performance, they must expect to have it forced double with the strictest security that may be. Given under our hands, this 12th day of March 1645.

Hartlebury.

Elmley Lovet.

Chaddesley Corbett.

Belbroughton.

Wolverley.

Row. Berkeley.

Jos. Walsh.

Anth. Langston.

Jacob Astley.

Hen. Ingram, vic.

Hen. Washington.

R. Clare.

The next week Astley marched with his men towards Oxford. He managed to get just over the Worcestershire boundary at Donnington, near Stow on the Wold. Here on the 21st March

the united forces of Morgan, Byrch and Brereton surrounded and defeated him, compelling his and his army's surrender, thus putting an end to the first Civil War so far as operations in the field were concerned.

In Townshend's Diary the following note comes after the order to the Governor of Hartlebury :—

p. 548.

Mem.—This month beforehand was for the advance of the captain and soldiers with my Lord Astley's army in the field. And whereas this is spoken of the 36th month's Contribution not due until April. The Governor of Hartlebury reckons and received this month of March his 36th month and the Advance to him of April is our 37th month and in all his parishes assigned.

Nothing could shew more clearly the state to which the Royalists were reduced than for Townshend to have to explain that the Worcestershire Commissioners did not desire to enforce the payment of monies to support an army that had surrendered.

While Astley was vainly trying to maintain the King's cause in the field, the Worcestershire Royalists were quarrelling over their private rights. As has been already stated, Townshend asserted that Crutch belonged to him,* and obtained an order that it should not be levied on for contributions. Having done this he was attacked by his neighbour Sir John Pakington, who alleged that Crutch should pay to Hampton Lovett.

p. 554.

6th March 1645. The state of the cause between Sir Jo. Pakington and Mr Townshend concerning the paying of Crutch Farm Contribution to Hampton Lovet.

Crutch is a peculiar, once belonging to the Nunnery of Westwood within this County. And upon the dissolution sold by Henry 8 to Charles Acton, Esq^{re}, in as large and ample manner as the Nunnery enjoyed it, and for all services, dues and demands pays per annum to the King 32^s.

* See *ante*, p. 255.

[*In margin: Q.*] A monthly Contribution of £3000 being rated on this County Hampton Lovet taxeth Crutch as an appurtenant.

[*In margin: reason*] 1. Because it did anciently pay assessments to the Council of the Marches, Carriages, etc. 2. The farmers of Crutch did christen 80 year since and bury at Hampton, and all Religious places after dissolution were to be appropriated to some place or parish.

[*In margin: Sol.*] 1. To the Assessments shewed it is answered: 1. They are without date, subscription of hands, or any mark of payment by erasing. 2. If the Tenant had consented and paid, this can be no prejudice to the Landlord in reversion, especially being done by Mr Wheeler, who haply in respect he was put back from purchasing the reversion and so was Sir Thomas Pakington and this assessment being made (as by all Circumstance of time) presently after the dissolution was being likewise put by the purchaser, thought covertly to tax it, and so in time to bring it into payment. 3. Wheeler enjoyed the lease from the Nunnery being for 70 years which ended about 20th Eliz. But there can no tax or assessment be shewed there ever since that time. For about that time it fell into the hands of Charles Acton, Esq^{re}, who never paid any tax with Hampton Lovet, nor his son Sir John all his life time. Both of them using the said farm in their own possession which continued until 21st Jac. which was 45 years nor the heirs of Sir John which is Henry Townshend, Esq^{re}, of Elmley Lovett, to this present 1645, but have opposed it ever. To the second. That Wheeler who occupied Crutch was a Hampton Lovet man: the original lease titles being of Hampton; and being of Hampton (though he used Crutch) he may both marry, bury and christen. And shall a man that dwells in one parish rent a peculiar in another place, draw that peculiar to the other, unless the law first settle it so likewise John Tew tenant to My Lady Acton.

p. 555.

* 3. Crutch was a peculiar and belonged to Westwood; it had a Chapel called St James; it hath all tithes, etc. and as free from tax (as by Charter appeareth) as when it belonged to the Nunnery. Now all religious places were exempt from taxes (except such as an Act of Parliament imposeth). And therefore [*obliteration*] not liable to any tax, which is due by any private power.

4. Hampton Lovet cannot produce, nor not one assessment ever since it came to Mr Charles Acton's possession (which is above 60 years) for payment of levies with them at all. A bare assesement, no proof without paying.*

* . . . * written along the margin of the page.

Veneris 6^o die Martii 1645 apud Wigorn.

Sir William Russell.	FitzWilliam Coningsby.
Sir Edward Littleton.	Edward Pennell.
Sir Rowland Berkeley.	Anthony Langston.
Sir Martin Sandys.	

Upon hearing and debating of the difference touching the farm of Crutch in what parish it is or to or with what parish it ought to be assessed and pay towards the Monthly Contributions, and other Military Charges of this County, in the presence of Sir John Pakington, Baronet, and other the parishioners of Hampton Lovet, alleging and shewing that the said farm hath been formerly assessed and paid with the said parish of Hampton, And also in the presence of Henry Townshend, Esq^{re}, and other the parishioners of Elmley Lovet alleging it ought to be assessed and pay with that parish by way of Assistance and not with Hampton. It is thought fit and so ordered that the said difference be referred to the next General Quarter Sessions to be held for this County when the said business is to receive further examination and determination. And it is ordered in the intermission that the said farm of Crutch and the occupiers thereof shall be assessed and pay with the parish of Hampton Lovet towards the said Monthly Contributions and other Military Charges.

The dispute being referred to the next Quarter Sessions to settle, in ordinary course they would have been held at Easter, but on the 26th March a Parliamentary army under Morgan summoned Worcester to surrender, when some fighting took place. Morgan marched away, but it was obvious the siege was only postponed for a short time, so instead of holding Sessions the place prepared for a siege. Accordingly, acting on the advice of friends and having regard to the necessities of the times, the parties came to the compromise shewn in the following documents :—

p. 556.

Mercurii 8^o Aprilis 1646 apud Wigorn. By his Majesty's Commissioners for the County of Worcester.

Whereas the settling of a difference between Sir John Pakington, Baronet, and Henry Townshend, Esq^{re}, touching the Contribution of

Crutch Farm was referred to the General Quarter Sessions of the peace to be holden for this County, now for that the said difference cannot yet receive any hearing and settlement in respect no Sessions hath sithence been held, The said parties (upon the mediation of friends) have assented that from henceforth that part of the said Farm now in the occupation of Henry Fisher shall pay the Monthly Contributions to and with the parish of Elmley Lovet, and that the other part thereof now in the occupation of Widow Tolley shall pay to and with the parish of Hampton Lovet, until the said difference can be tried at law, which we do (by consent of the said parties) order accordingly. In the presence of the said Henry Townshend, and of Sir Martin Sandys, Knight, testifying the said Sir John Pakington's consent thereunto.

This order was not approved of and
therefore altered as followeth.

Hen. Ingram, Vic.
Will. Russell.
Edw. Littleton.
R. Clare.
Row. Berkeley.
John Winford.
Anth. Langston.

So far as the Diary shews, the dispute was ended on the following terms :—

p. 557.

Mercurii 8^o die Aprilis 1646 apud Wigorn. By his Majesty's
Commissioners for the County of Worcester.

Whereas the settling of a difference between Sir John Pakington, Baronet, and Henry Townshend, Esq^{re}, touching the Contributions of Crutch Farm was referred to the General Quarter Sessions of the peace to be holden for this County. Now for that the said difference cannot yet receive any hearing and settlement, in respect no Sessions hath sithence been held. The said parties upon mediation of friends (as Sir Martin Sandys avers) have assented that from henceforth, one part of the said Farm shall pay monthly Contributions to and with the parish of Elmley Lovet, and that the other part thereof shall pay to Hampton Lovet, until the said difference can be tried by law. It is therefore thought fit and so ordered That that part of the said Farm which is in the possession of the said M^r Townshend, or of Henry Fisher his under Tenant shall pay with Elmley Lovet, and that part which is in the pos-

session of Widow Tolley shall pay Contribution to and with the parish of Hampton Lovet, until the said difference be decided by Lawe.

Edw. Littleton.

R. Clare.

Row. Berkeley.

John Winford.

Mar. Sandys.

Antho. Langston.

The last document relating to Worcester is a sad one. It is entitled :—

p. 540.

May 1st, 1646. There was an Oath agreed between the Governor, Commissioners, Gentry, Mayor and Citizens for mutual assistance as followeth :

We whose names are here subscribed do in the presence of Almighty God solemnly swear that we will stick to and be true to another. That is The Governor, Officers, Gentry and soldiers, to the Mayor, Aldermen, Citizens, Townsmen and soldiers of this City of Worcester. And the Mayor, Aldermen, Citizens, Townsmen and soldiers To the Governor, Officers, Gentry and soldiers of this City and Garrison of Worcester in the preservation and defence of this Garrison and City of Worcester and the forts and strengths thereto belonging for his Majesty's service. And will not consent to the surprisal or delivering up of the same without the mutual consent of each other. So help me God, etc.

The shadow of the coming siege was upon them, and possibly the best commentary on the oath is the conduct of the Mayor and citizens during the siege.*

A pass given by Sir Thomas Fairfax to someone named J. P. to go to London from Oxford is given. Oxford formally surrendered on Wednesday the 24th June, and this is probably the form of Pass issued under the Articles of Surrender :—

p. 678.

Sir Tho. Fairfax, Knight, General of the Forces raised by the Parliament.

Suffer the bearer hereof M^r J. P. with his Servant, Horses and Arms, who was in the city of Oxford at the surrender thereof, and is to have the full benefit of the Articles agreed unto upon the surrender, Quietly and without let or interruption to pass your Guards, with one Servant,

* See *ante* Part I., pp. 128, 179.

Horses, Arms, Goods and all other Necessaries, And to repair unto London, or elsewhere upon his necessary occasions. And in all places where he shall reside, or where he shall remove, to be protected from any violence to his person, Goods or Estate according unto the said Articles. And to have full liberty at any time within Six Months to go to any Convenient Port, and to transport himself with one Servant, Goods and Necessaries, beyond the seas: And in all other things to enjoy the benefit of the said Articles. Hereunto due obedience is to be given by all persons whom it may concern, as they will answer the contrary. Given under my Hand and Seal this 23rd day of June 1646.

T. Fairfax.

To all officers and Soldiers under my Command
and to all others whom it may concern.

The last* of the Townshend papers for 1646 consists of some verses on the result of the war, whether his own or not does not appear :—

p. 684.

May 1st 1646.

There was a gentleman who being very melancholy at those distracted times and the infinite miseries that hath befallen this Late Flourishing Kingdom, Falls in a discontented humour or Rapture to decipher the persons mystically and in a Riddle, leaving the Reader to unriddle, who are the only Troublers of the peace of the Church and State.

There dwells a people on the Earth
That reckons True Religion, Treason.
That makes sad Wars, an holy Mirth,
Count madness, real, and nonsense, Reason.
That think no freedom, but in slavery,
That makes lies, truth, Religion, knavery.
That Rob and Cheat with Yea and Nay,
Riddle me, riddle me, who are they?

That makes kings great, by Curbing Crowns,
That settle peace by plundering Towns.
That Govern with Implicit Votes,
That establish Truth by cutting Throats.
That kiss their master and betray,
Riddle me, riddle me, who are they?

* The account of the siege of Worcester that covers the period between May and August 1646 has been printed in Part I., p. 99.

CHAPTER IX.

1646—1660.

From the date of the surrender of Worcester, the 23rd July 1646, to May 1660 there are very few entries in the Diary. Under the terms of his pass* Townshend was to be allowed “without let or interruption to pass the guards, with his servants, three horses, arms, goods and other baggage on horseback, and to repair to Elmley Lovett within the county of Worcester, London or elsewhere upon his necessary occasions.” He was to have full liberty “at any time within two months to go to any convenient port and transport himself with his servants and necessaries beyond the seas.” Of this last privilege it does not appear that Townshend availed himself. He returned to Elmley Lovett and remained there until 1660. His Diary does not contain—and it was hardly to be expected that it would—any allusion to the Royalist plots between 1646 and the King’s death; nor is there any mention of the Scotch invasion by Charles II. in 1651, nor of anything during the Protectorate except those two fragments of a Diary from April 1653 to January 1657 which have been already printed.† As far as appears Townshend remained quietly at Elmley Lovett until better times came. One matter occurred in 1649 which gives a very striking illustration of how the Parliament used their powers as to raising money.

The Statute 16 Car. I., c. 9, authorized the raising of £400,000 upon the Kingdom of England and Wales, and apportioned the money among the different counties. Worcestershire’s share was

* See *ante*, p. 192.† See *ante*, Part I., p. 22.

£5802 10s. 6d.* Of this the Hundred of Halfshire bore a fifth, £1160 10s. 1d., and of the fifth Elmley Lovett had to pay £20. The three Commissioners for raising the money were Henry Townshend, Philip Brace and Roger Lowe. Only a small proportion of the money had been raised, so it struck the Parliament that to enforce the payment of the balance would be a good way of putting them in funds. In Michaelmas term 1649 a distringas was moved for in the Court of Exchequer ordering the Commissioners to return what they had done towards performing their duties and raising the money. The distringas was served on the surviving Commissioners, and Townshend gives the certificate he and his colleagues as Commissioners sent to the Court shewing why they had not fully discharged their Commission. The document runs thus :—

p. 228.

Mem. in the year 1649 in Michaelmas Term there came a distringas out of the Exchequer to all the Commissioners of the County for to return what they had done in the executing the Commission in the £400,000 granted. For that the late civil and unhappy wars beginning in September 1642 between King and Parliament and the money that month was to be collected so that little or none was paid unto the High Collector M^r Cole, we made this return and certificate into the Exchequer for our indemnity. Sir Edward Barrett keeping the estreat unreturned to the Treasurers above by reason of the soldiers coming into the country at that time.

p. 229.

To the right Honourable the Lord Chief Baron and the rest of the Barons of the Exchequer.

1. These are to certify the honourable Court that whereas we amongst others in the year 1642 were appointed by Act of Parliament commissioners for the County of Worcester upon the Act of £400,000, whereof the county of Worcester was assessed at £5802 16^s 06^d And the hundred of Halfshire therein (to which we were allotted and assigned) was to pay £1160 10^s 0^d, the moiety whereof being £580 05^s 00^d was

* See *ante*, p. 49.

then to be assessed and paid in beside some surplusage money for Recusancy and the other moiety in November following, Have performed our duties according to our powers, by causing the said sum of £580 5^s 0^d and £30 surplusage money for recusancy to be assessed and was assessed in every parish of our limit and hundred, and the assessments by the assessors returned into our hands.

2. That we nominated one M^r Anthony Cole of Chadwick in the parish of Bromsgrove to be High Collector and each particular parish their sub-collectors.

3. That the said M^r Anthony Cole entered into bond of £1160 for the true performance of his place.

4. That the estreats between M^r Cole and us were engrossed in parchment whereof the said M^r Cole had one part and the other part with his bond we now return up, though offered to be sent up within a short time after the execution of the said Commission; but by reason of the late unhappy wars breaking forth in our county was kept safe until this opportunity.

5. That all sub-collectors (as the High Collector sayeth) had their general assessments sent into them in every parish throughout the hundred to collect the same.

6. That some sub-collectors have paid in their moneys to M^r Cole the High Collector, as he did lately inform some of us; but what were the sums and from whence he can best inform: and we probably believe much hath been collected by the several constables and sub-collectors in their several parishes, who many of them have since been dead and so the accounts and receipts lost. And how and to whom the moneys have been paid or enforced to be paid by the soldiery in the time of the late wars, the sub-collectors living can best give an account.

p. 230.

7. That in respect of the late wars growing to be violent and the peace of the country here very much disturbed the latter moiety of the £1160 10^s 0^d was never assessed by us at all, as we can remember.

8. That M^r Roger Lowe and M^r Nicholas Gower our fellow Commissioners be dead.

That this certificate may be our present sufficient vindication, and clear and free us from any further trouble and question, for which we shall ever rest

your lordships' humble servants,

Worcester, 9th Nov. 1649.

Edward Barrett.
Hen. Townshend.
Philip Brace.

The matter appears to have rested, as nothing more was heard of it until April 1651, when the probability of a naval war with Holland, as well as the state of things in Scotland, made the need for money urgent. Accordingly a further order was then made for a report of what money had been raised and what remained to be raised. To this the following return was made :—

p. 230.

Mem.—3rd April 1651 we received another summons by M^r Jo. Summers, under sheriff, about the aforesaid subsidy of £400,000 out of the Exchequer, to which this answer was sent to the Barons of the Exchequer :

Worcester, 18th April 1651.

Right Honourable,

That having lately received your Lordships' second writ of summons concerning the £400,000 subsidy, which should have levied in the year 1642, we make bold once more humbly to present to your Lordships that in Michaelmas term 1649 we had the like summons and thereupon we returned by the hands of M^r John Summers, then deputy Sheriff of the county, the counterpart of our estreats between M^r Anthony Cole, High Collector for the same and his bond, and ourselves ; together with a certificate of all proceedings therein, which was (as M^r Summers avers) delivered by him into your honourable court, to which we may refer ourselves, being not able to add any better return of our service, and we hope so very full and satisfactory according to the powers granted by Parliament, and give your honours such plenary satisfaction whereby we may receive the discharge of the court from further question or trouble, which favour bestowed and justice to us we shall engage to requite.

your Lordship's humble servants,
E[dward] B[arrett], H[enry] T[ownshend].

This did not satisfy the Court of Exchequer, for Townshend goes on to say :—

p. 232.

Mem. the * July 1651 we received a 3rd summons about our £400,000, and 10^s fine for our pretended neglect. But we returned the same answer as we did in the 2 summonses by M^r Jo. Summers,

* Blank in MS.

Under-Sheriff, and returned our answer by him, and gave him 10^s for his care and solicitation.

August 1651.

In August 1651 the Government had something else to do than collect the arrears of taxes. With the Scotch in arms in the county it would have been quite idle to have attempted it. After the Battle of Worcester on the 3rd September the Court had other and more lucrative forfeitures to enforce. Whether it was this, or whatever may have been the reason, as far as Townshend is concerned there is no further mention of it in his Manuscript.

No further entries are found until the Restoration was becoming imminent. The next is an order, dated 28th April 1660, from the Commissioners of Militia to the Constables of each parish ordering them to make a return by the 1st May 1660 of all persons who had property in land within their parish of a clear annual value of over £15, such persons being liable to serve in the Militia.

p. 137.

To the Constable of Elmley Lovet.

By order from the Commissioners for the Militia in the County of Worcester, you are hereby required to bring to the said Commissioners sitting in the Town hall in Worcester on Tuesday the first day of May next the names of all persons within your limits that have within the parish or else where above the sum of £15 per annum in lands, tenements leasehold or copyhold or a personal estate worth £200, with the true value of such real and personal estate, as also an account of what monies, horses and arms have been charged upon or taken from any person within the parish by order of the former Commissioners of the Militia. And of this fail not.

Dated April 28th, 1660.

Yours,

William Newnam.

Thomas Insoll, constable, returned the names of all which have £15 per annum and inhabitants, which were as follows :

H. Townshend, Esq ^r , and Henry his son .	£200 per annum.
John Tyrer, gent.	£49 per annum.
Walter Insoll	£28 per annum.

Out-dwellers not specified who have £15 per annum, but dwelling out of the parish, it is conceived they are taxed for all where they dwell.

The parish charge of 2 foot arms . . . £3 15^s 0^d

H. Townshend and his son for horse and arms and one month's pay advance to a

troop £13 3^s 0^d

Delivered in 10th May 1660 by Thomas Insoll, constable to Mr Whittingam, clerk of the Militia of the County.

Once more Townshend was in difficulties. He had to find a horse, arms, and a month's pay for the men who were called up. His horse had been taken by the Oxford Militia, his pistols by Lieutenant Milward—possibly a son or some relative of that Capt. Thomas Milward of Alvechurch, who was a very strong Parliament man, and one of the Committee for the Parliament who came to Worcester on its surrender in 1646.* The Commissioners of the Militia, one of whom was Thomas Milward, possibly the same man, ordered the horse to be restored to Townshend, and the arms, saddle and pistols to be placed in the magazine at Worcester.

p. 138.

By virtue of an order from the Commissioners of the Militia underwritten I sent to Baptist Harris for my gelding who returned me a civil answer that I should hear from him within a week and hoped to bring my gelding again taken by the Oxford militia: and the pistols Lieut. Milward hath.

Ordered that Baptist Harris of Bradforton, soldier, do forthwith restore and deliver back the horse to him delivered for the service of the late Militia unto Henry Townshend, Esq^{re}, or whom he shall appoint to receive him. And likewise that he bring his arms and furniture into the magazine at Worcester.

Given under our hands this 9th day of May 1660.

Tho. Milward.

Ed. Moore.

Jo. Nash.

Edw. Elvins.

Stephen Halford.

* See I., p. 197.

The Commissioners did not act in Townshend's case alone, but made a general order :—

p. 138.

A letter of summons from the Commissioners by their Clerk, M^r Richard Whittingham, to find one horse and arms according to the proportions in the Act of Militia to be sent to the Talbot in Sidbury upon the 29th day of May instant. 24th May 1660.

Ric. Whittingham,
Clerk to the Commissioners.

Still Townshend was not satisfied. He complains that his assessment was too high, and consequently he had to bear more than his share of the cost of the Militia. He gives the following memorandum :—

p. 138.

Mem.—I am as highly assessed and charged as those that have 3 and 4 fold my estate at least.

At the Midsummer Sessions 1660, the first after the King's return, it was considered right to make some formal record of the satisfaction with which the Court of Quarter Sessions welcomed the King. Sir John Pakington moved that the Court send a petition to the King congratulating him on the Restoration. The petition was sent to every parish in the county to obtain signatures, so as to make it the act not merely of so small a body as the Justices, but of the whole county. Townshend gives the petition as follows :—

p. 139.

June 28. Memd.—Sir John Pakington coming down from the City of London moved that the County and City would petition and declare the benefits we have of his Majesty's happy return to his Government, etc., and accordingly there was this underwritten drawn and sent copies to all parishes to those that wished well to the King's interest and conservation of Religion to subscribe the same, so did the Mayor of Worcester, M^r Ashby the recorder the like.

To the King's most excellent Majesty.

The humble petition of your Majesty's loyal subjects of your County of Worcester.

The joy we have entertained for your Majesty's safe return to your kingdoms and governments our hearts only can testify our language cannot express. We bless that God who in the depth of our discomforts when our persons were subject to imprisonment and torture, our estates to all manner of violence and rapine hath so wonderfully preserved your Sacred Majesty as a lamb from the slaughter in these bloody times and again miraculously restored your Majesty to your Crowns and dignity, a blessing so much despaired of that we little hoped to see so speedily and happily effected with all alacrity of spirit. We render unto your Sacred Majesty our most humble, hearty and loyal thanks for those many gracious assurances vouchsafed unto us, that your Majesty will be pleased to restore unto these kingdoms the fundamental laws Our just rights and privileges And that your Majesty will be a true Defender of the faith. And because our welfare here on earth dependeth chiefly upon religion In all humility we humbly beseech your Majesty.

p. 140.

That the Doctrine of the Church of England may be preserved in its purity Our laws may be established such as may rightly serve to abolish all superstition and schism and constitute the service of God in some perfect form for discipline. Wherein we desire that the practice of your royal predecessors King James and your late royal Father of blessed memory (the faithful assertor of our religion) may be the pattern. That there may be uniformity in the service of public duties. Whereby God may be glorified, factions and heresies suppressed, and your Majesty's good people truly edified that we may keep the unity of the Spirit in the bond of peace.

Which is the prayer of your Majesty's most loyal and obedient subjects.

It perhaps would not be right to say that the Royalists packed the Court of Quarter Sessions at the Restoration, but according to Townshend the Court consisted of a number of gentlemen whose names were placed on the new Commission of the Peace which was then issued. With one or two exceptions the names are all those of Royalists, and the Bench must have been over-

flowingly Tory. If Townshend is right, the most extraordinary thing about the Sessions was, that while the names of no less than fifty-one Justices are in the Commission, only four took the oath and so were qualified to sit. Townshend appears, from a note he has made, to have been the Chairman of the Court.

p. 143.

Wigorn. SS. The names of all the Justices of the peace which are in the first Commission of the peace sent down to sit at the Quarter sessions July 10th 1660 in the restoration of Charles the second.

Quorum. Lord Chancellor Hyde. Marquess of Ormonde.
Gen. Monk. *Earl of Manchester.

*Leicester, Viscount Hereford	Fr. Smith, esq ^{re}
*Tho. Lord Windsor	Tho. Savage, esq ^{re}
*Tho. Lord Coventry	Tho. Child, Esq ^{re}
Humble Lord Ward	*Hen. Townshend, Esq ^{re}
George Coventry, Esq ^{re}	*W ^m Sheldon of Broadway, Esq ^{re}
Tho. Coventry, Esq ^{re}	Tho. Jolley, Esq ^{re}
*Sir Hen. Littleton, Baronet	Tho. Wyld, Esq ^{re}
*Sir Jo. Pakington, Bart.	Tho. Mariot, Esq ^{re}
*Sir W ^m Russell, Bart.	W ^m Mucklow, Esq ^{re}
*Sir Tho. Rouse, Bart.	Rich. Dowdeswell, Esq ^{re}
*Sir Ralph Clare, Knight of the Bath	Edw. Dingley, Esq ^{re}
Sir Henry Herbert, K ^t	Hen. Jeffreys, Esq ^{re}
*Sir Jo. Winford, K ^t	W ^m Washbourne, Esq ^{re}
*Sir Jo. Talbot, K ^t	*Hen. Bromley of Upton, Esq ^{re}
Sir Tho. Overbury, K ^t	*Edw. Vernon of Hanbury, Esq ^{re}
*W ^m Sandys, Esq ^{re}	Theophilus Andrews, Esq ^{re}
*W ^m Lygon, Esq ^{re}	Littleton Clent, Esq ^{re}
*Hen. Bromley, Esq ^{re} of Holt	Edw. Pennell, Esq ^{re}
*Sharrington Talbot, Esq ^{re}	Jo. Bearcroft, Esq ^{re}
*Edw. Pitt, Esq ^{re}	*Tho. Street, Esq ^{re}
*Sam. Sandys, Esq ^{re}	George Simonds, Esq ^{re}
John Keite, Esq ^{re}	Leonard Sympson, Esq ^{re}
*John Edgioc, Esq ^{re}	Tho. Hall, Esq ^{re}
*John Naufan, Esq ^{re}	John Newport, Esq ^{re}
	Edw. Bushell, Esq ^{re}

* These names have the letter "Q" written opposite them in the margin, signifying that they were "of the Quorum."

p. 144.

Mem. this 10th of July 1660 there were only sworn to sit at the Quarter sessions Sir John Pakington, Bart., Sir Rowland Berkeley and myself (who gave the charge) and M^r G. Symonds.

Another instance shewing how the Royalist influence predominated at that time is to be found in the next document. Townshend gives the names of the Grand Jury at the first Assizes :—

p. 146.

The names of the Gentlemen of the Grand Jury at Worester assizes held 25th Sept. 1660, 12^o Car. and first assizes after his Restoration to the Crown before Sir Thomas Turner, serjeant at law and Judge.

Sir Jo. Winford	Henry Jeffreys, esq ^{re}
Jo. Nanfan, Esq ^{re}	Nicholas Aeton, esq ^{re}
Hen. Townshend, Esq ^{re}	Edw. Pennell, esq ^{re}
Hen. Bromley de Upton, Esq ^{re}	George Symonds, esq ^{re}
Tho. Jolly, esq ^{re}	Humph. Littleton, esq ^{re}
Tho. Child, esq ^{re}	Edmund Baugh, gent.
Jo. Bearcroft, esq ^{re}	Robert Foley, gent.
Philip Brace, esq ^{re}	W ^m Baldwin, gent.
W ^m Sheldon, esq ^{re}	W ^m Garrett, gent.
Walter Savage, esq ^{re}	

The Sessions had two very important but very unusual matters to deal with.

The first related to the Rectory of Hartlebury. On the 27th February 1624 the King presented Emanuel Smith to that Rectory. Smith was in possession at the outbreak of the War. In his place the Parliamentary Committee put Thomas Wright, a strong Puritan and one of the "Associated members" of the "Worcestershire Agreement," who is there described as "Thomas Wright, teacher at Hartlebury," into possession of the profits of the rectory. At the Restoration the matter came before the House of Lords—it is not quite clear in what way, but with the result that the Lords ordered that the profits of the

rectory be no longer paid over to Wright, but should be retained by the churchwardens and overseers of the parish until the respective rights of Smith and of Wright be determined by course of law. Having got this order, Smith served it on Wright and the churchwardens. They obeyed the order, but to keep the parties from starving had some of the tithe corn thrashed to pay for the costs of the contribution. Wright at once complained of this to a great Roundhead magistrate, Leonard Simpson, as a breach of the order of the House of Lords. Simpson committed the thrashers to prison for forcibly holding over the profits against Wright.

Townshend gives the following account of the order of the House of Lords and of Simpson's action :—

p. 144.

Die Sabbati 23^o Junii 1660.

Ordered by the Lords in Parliament assembled That all the tithes, glebes and other profits of or belonging to the rectory of Hartlebury in the County of Worcester or other ecclesiastical living or benefice of Emmanuel Smith, Clerke, Who hath been sequestered or ejected without course of law in or since the time of the late wars be by authority stayed and secured in the hands of the churchwardens and overseers of the poor of the said parish until the tithe [*sic*] of the said sequestered Emanuel Smith and the present possessors thereof shall be determined by the further order of Parliament or eviction by due course of Law.

Jo. Browne, Clericus,

p. 145.

Parliamentorum.

Mr Smith served Mr Wright the present incumbent and the churchwardens of Hartlebury with the said order. They in obedience lodge the tithe and Glebe corn in the barns there of the rectory. And offered to thrash some corn to pay for the charge and paying of contributions. And put in the 2 thrashers. Mr Wright complained to Mr Leonard Simpson of Bewdley, a justice of peace of the same, who upon view found them and forcible holding recorded the same and did commit one Owen Powell and Thomas Price to prison with this mittimus.

The warrant under which the “two thrashers” were detained is as follows :—

Leonard Simpson, Esq^{re}, one of the Justices of the peace of our

Sovereign Lord the King's Majestie within his said county of Worcester. To the keeper of his Majesty's Gaol at Worcester in the said county and to his deputy and deputies there and to every of them Greeting. Whereas upon complaint made to me this present day by Thomas Wright of Hartlebury in the said county, Clerk, I went immediately into one of the barns of the said Thomas Wright near adjoining to the dwelling house of the said Thomas Wright in Hartlebury aforesaid: and there found Owen Powell and Thomas Price of Hartlebury aforesaid, labourers, forcibly and with strong hand holding the said house against the peace of our sovereign lord and against the form of the statutes in that behalf made and provided, I do therefore herewith send you by the bearer hereof the said Owen Powell and Thomas Price convicted of the said forcible holding by mine own view, testimony and record, commanding you in his Majesty's name to receive them into your said Gaol and there safely to keep them until such time as they shall make their fines to our sovereign lord for their said trespasses and should be thence delivered by due order of law. Hereof fail you not upon the perils may fall thereon. Given at Hartlebury aforesaid under my seal the 28th day of August in the 12th year of the reign of our Sovereign Lord Charles the second by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith.

Len. Sympson.

What the result was does not appear. But Sympson was so strong a Parliament man that it cannot be doubted that Wright was ejected and Smith restored. As far as appears Smith continued to hold the living until 1670.

The other matter that the Sessions in 1660 had to deal with was one that had before the war been a cause of great complaint and real hardship—Purveyance—the liability to supply the King with provisions when he came to stay in the county. To shew what a burden it was, two receipts for the purveyance for 1640 may be given from the Sessions Records :—

“ 20 October 1640. These are to certify you, that Thomas Hill, your undertaker for the composition of lambs, hath on behalf of the county delivered into the office of His Majesty's Poultry at the Court the full number of 150 lambs good and serviceable as by way of composition were due unto His Majesty

out of the County of Worcester for the last year begun the 1st October 1639 and ended the last September 1640.

“To the Justices of the Peace and
Compounders for the County of Worcester.” *

A similar receipt for “20 fat oxen, 200 fat muttons and 20 stirrcks all good and serviceable for the year 1st January 1639 to 31st December 1640.” †

When the Restoration came Parliament determined to abolish purveyance, which was done by the statute 12 Car. II., c. 24.

Townshend gives the mode in which the change was carried out.

A letter was sent to the Justices asking them to state what were the number of animals compounded for. If the Quarter Sessions were over, a special Sessions was to be called for the purpose of making the return, and proposing a composition instead of purveyance. This was agreed to, and Townshend says the result was to save the county £380 a year.

p. 147.

Memd.—Mr Herbert Prise wrote a letter to Sir Ralph Clare the substance whereof was—

That his Majesty was resolved to settle his household as it was in his Grandfather and father's times.

That the High Steward (Marquess of Ormonde) was commanded by his Majesty to send letters into all counties to the Justices of Peace for the sending in of what was compounded for in lieu of purveyance and pre-emption according to former rates agreed on by the gentry with his Majesty's officers of the Green Cloth. Expectation is that what is due from midsummer last should with what speed possible be sent in.

To give an account of the receipt of this. And after the meeting return to the board what is resolved on enclosed in a letter.

That if the sessions be past the Custos Rotulorum may summon a sessions to that purpose for the communicating of this.

Whitehall, 27th 1660.

Herbert Prise.

* Sessions Records, I., p. 689.

† *Ibid.*, p. 690.

Worcestershire.				Whole Composition.	
Oxen	.	20	. 16 th June	.	£4 a piece.
Mutton	.	200	. 10 th July	.	6 ^s 8 ^d a piece.
Stirkes	.	20	. 8 th Oct.	.	10 ^s a piece.
Lambs	.	150	. 15 Aug.	.	12 ^d a piece.

Memd. by an Act of Parliament after 12th Car. 2, 1660 the purveyance is taken away with the Court of Wards, and excise towards supply of his Majesty's revenues in its place.

p. 148.

After our hearty commendations. Whereas the compositions received out of this county for the support of his Majesty's family and household were in the reigns of King James and the late King Charles of Blessed memory, Agreed upon and established in lieu of purveyance and pre-emption for the most ease and benefit of the country and the better accommodation of his Majesty's service, as by the former addresses made by the country to the Board of Green Cloth to that effect it may appear; His Majesty being graciously pleased to ease you of the burthen of purveyance and pre-emption upon the same composition and agreement which your Assessors have formerly made, and that the markets may not be disturbed or interrupted by purveyance Commissions as it hath been usual in the reigne of his royal progenitors. We do therefore desire you to send, to his Majesty's court at Whitehall such provisions at such rates and upon such days as was concluded in the last Composition made with your county. And if you shall not think fit to proceed

p. 149.

upon the same Composition which was formerly made, a true copy whereof we have sent you here inclosed, But shall either renew or alter the same, we desire you speedily to send some gentlemen of your county to the Board of green cloth with commission to treat and conclude with us in a way and upon such terms, as may most conduce to the advantage of his Majesty's service and the ease and accommodation of you and your county, which is the earnest desire of

your very loving friends

Cha. Berkeley.	Ormond.
Herbert Prise.	H. Corwallis.
W ^m Boreman.	Will. Ashburnham.
Stephen Fox.	John Crane.
	George Barker.

p. 150.

An answer by the justices to the letter by the consent of the Grand Jury at Sessions 2nd Oct. 1660 concerning the King's provision.

Right Ho^{ble},

We make bold to acquaint you that we have received your Honours' letters touching provision, In obedience whereunto we have this last Sessions consulted with the Grand Inquest serving for the body of our County, And though in respect of the great sufferings of our county in general and most of us in particular by imprisonment, plunder and sequestration during the late troubles (far exceeding other counties), we might with some modesty desire a respite from this charge. Yet we shall with all willingness and readiness comply with your Honours' demands. And because we do conceive that the way most advantageous for his Majesty's service, and also for the ease of our county (being somewhat remote from his Majesty's Court at Whitehall) will be by a composition in lieu of purveyance, We further make bold to assure your Honours That some time within the next Michaelmas term We do resolve to send unto you (to his Majesty's board of green cloth) some gentleman of quality who shall be empowered to treat and conclude with your honours for a composition for the same, further assuring that such composition as shall be so made, we shall be very careful in seeing the same truly answered and paid at the time agreed upon. Thus far we thought good to certify your Honours, and to beg your pardon for this trouble, and humbly take our leaves and rest your Honours' most humble servants.

Worcester the eight day
of October 1660.

Memd. since, the Parliament hath put aside the purveyance, and so the Conntrey for ever freed from the charge which was in this County £380 per annum.

CHAPTER X.

MISCELLANEOUS MATTERS.

There are a number of miscellaneous entries relating to various matters scattered through the Diary. They have no bearing on any part of the general County History, but it is worth while to include them in the volume for two reasons : (1) That without them the Book would not be a complete reproduction of Townshend's work, and (2) in their way they are curious as shewing the matters which occupied the attention of a seventeenth-century Worcestershire gentleman. The first is the following extract from a certificate given 13th May 1581 by Robert Cooke, Clarencieux :—

p. 133.

Mend. taken out of the manuscript and parchment coats of arms of the Townshends these words are written under the coat.

These are the ancient arms and crest of the Townshends of Norfolk and because there is a doubt how they should bear the Roe buck, for some times they bear it proper attired and ringed Or. Sometimes Or on a wreath Argent and Azur. For the more authority to Mr Henry Townshend of Cund (in Shropshire) Esq^{re} and his posterity only I allow them to bear the same Roe buck Or, on a chapeau gules doubled ermine. Justified by my hand the 13th day of May 1581.

Rob. Cooke Alias Clarencieux
Roy D'armes.

Motto.—Tout en Dieu.

Copia vera per me Henricus Townshend filius Henrici Townshend prefati capta 11th Feb. 1660.

Hen. Townshend.

Townshend appears to have been on the list of persons qualified to serve as Sheriff of the County. His son Henry

Townshend was Sheriff in 1713. He, however, seems to have given some attention to the powers and duties of the office, and has inserted the following abstract of the Powers and Duties of the Sheriff of a County—an abstract that purports to follow Dalton's treatise on the law of Sheriffs :—

p. 460.

An Abstract of the office of Sheriffs.

The word Sheriff is derived of 2 Saxon words, viz. Scyre, that is Shire or County, and reve (1) keeper or guardian and so Scire Reve is the keeper of the Shire.

9 Ed. 2. 2 Ed. 3, c. 4. 4 Ed. 3, c. 9 and 5 Ed. 3, c. 4. These statutes have ordained that no man shall be sheriff in any County except he have sufficient lands within the same County or (Shire) where he shall be Sheriff, whereof to answer the King and his people, in case that any man complain against them. No Sheriff* shall tarry in his Bailiwick above one year, and that another shall be elected in his place that hath land sufficient in his Bailiwick, by the Chancellor, Treasurer, chief Baron, and the 2 chief Justices, if they be present, And that shall be done yearly on the morrow of All Souls' at the Exchequer. The office of a Sheriff cannot be determined, until a new Sheriff be made. Coke 4, 33.

The Sheriff before he receives his patent is to put in sureties by himself or by his sufficient deputy into the king's exchequer (1) in the Remembrancers office there, upon such conditions as shall be thought meet there, sub pœna £100 to be levied of his lands and goods. 2 and 3 Ed. 6, c. 4.

The Sheriff's Attorney writes him a note that he is Sheriff, and hath entered Recognizance. Which note must be delivered to the one of six clerks in Chancery, for to make his patent, with his Writ of Assistance, and a Writ of discharge to his predecessor. Until it be delivered, the precedent Sheriff may do execution of all process.

The Sheriff before he exercise his office must take 2 oaths the one of Supremacy, the other concerning the due exercise of the office of Sheriff.

p. 459.

Mem. there are some things considerable in this oath.

1. Not to make any under sheriff that hath been the Sheriff's clerk the last year.
2. To destroy heresy among them chiefly Lollaries, which are held

* Statute 14 Edw. III., c. 7.

now by divines to be good men and hold the same points as now are held in the Church; so that the whole County must be presented or else the Sheriff forsworn.

3. Not to let the Sheriffwick nor Bailiwick.

4. To make his own panels for juries, whereas his under sheriff doth take it ordinarily upon him.

The Sheriff must take his oath before one of the Judges of Assize whereof he is Sheriff, or before one of the Masters of the Chancery, or else have a "*dedimus potestatem*" to 2 Justices in the County whereof one of the quorum to minister the oaths.

If commissioners shall return the writs that the oaths be taken and be not taken this is finable in Star chamber. Dyer 168 in Bronker's case 1^o Eliz. So if the Sheriff execute his office before he [has] taken the oaths is finable. Or not truly execute his office.

The death of the prince makes void the Sheriff's office. Dyer 165.

The old Sheriff must deliver over to the new all his prisoners which are in gaol by their names, and all his writs precisely by view and by indenture, in which Indentures all the causes which the Sheriff hath against the prisoner must be set forth and delivered at the peril of the old Sheriff, as in Westby's case. Coke, 3, f. 72. And the like of executions. Unless where the old Sheriff dies in office; And if a prisoner escape being in for execution, this is no escape, for then all prisoners were under the custody of the law.

The high Sheriff must have patent and writ of assistance read at the first County Court which shall happen to be after his election. He must nominate his under Sheriff, County Clerk, and 4 deputies at the least to make replevins, and to dwell 12 miles distant one from another.

p. 458.

It is good to keep their office and their Under Sheriff and other officers in their houses rather than to trust strangers upon bonds and covenants which to be stated of 23 H. 6th, c. 10, and 5 and 6 E. 6, c. 16 are void or voidable. Whereby a Sheriff may be undone. Howsoever take strong bonds and covenants of the Under Sheriff.

The Sheriff ought to have a Deputy in all Courts of Westminster to receive all manner of writs, sub pœna £40 and treble damages. 23 H. 6, c. 10.

No Sheriff, Undersheriff nor Sheriff's Clerk shall abide in his office above one year sub pœna £100, all pardon for such offence void though the words "*Non obstante*" be in. Who is disabled for being ever after Sheriff or Undersheriff or Clerk and £200 forfeiture, 23 H. 6, c. 8, nor within 3 years after Sheriff. Old Sheriffs may occupy their office during

the terms of St Michael and Hilary after the year be ended, unless he be before discharged. 17 E. 4, c. 6.

Every Sheriff must dwell in his own person within the County for the time, except he be licensed. 4 H. 4, c. 5.

Penal statutes are to take effect according to the express intention of the makers of the act, and not made illusive.

The power of Sheriffs are either absolute or ministerial. Absolute as to bind men to the peace *ex officio*. 12 H. 7, 17.

To take recognisances with 6 sufficient mainprenors for the good behaviour of such as have obtained their pardon for any felony and the Recognizance sealed with their seals, returned into the Chancery.

No sheriff shall execute the office of Justice of the peace for that year; but afterward he may without renouncing his Commission. 1 Mar., c. 8 to be sworn.

He may pursue all felons, traitors or disturbers of the peace, and will and command the County to assist, and the refusers are fined to the King. (Br. fines, 37), and the Sheriff may attach to appear at next gaol delivery all refusers. *Officium Coronatoris*, 3 E. 1.

p. 457.

May arrest all that ride or go armed, except himself and officers in going to do justice; take away their armour and price the same by oath of some present. 2 E. 3, 3.

Take away weapons from servants.

Arrest noblemen's purveyors and cause them to restore and pay treble damages to the party grieved. 23 H. 6, c. 14.

Suppress rioters. 17 R. 2, c. 8, 2 E. 3, c. 3 may justify the beating, wounding or killing of them. Make a record with 2 Justices of all the riot, 13 H. 4, c. 7, and imprison them, *sub pœna* £100. Inquiry if the rioters be gone within a month.

Disturbers of Sheriff or his Bailiffs in executing writs and the Sheriff finable if he return he could not execute the King's process for he hath *posse Comitatus*. 13 E. 1, c. 39.

In case of Redisseizen the Sheriff is made a Judge. Coke 6, 12.

The Schire-reve is called *prepositus comitatus*, ruler, and so imports an absolute power. He is called *Ballivus* or *Thesaurarius Comitatus* importing his ministerial power.

The word Bailiff came in with the Normans. Term of law.

His ministerial duty—

1. Truly to keep the King's rights of his crown, the King's lands, franchises, suits, powers, etc.

Those are the King's lands which are ancient demesne lands of the

Crown which Domesday book made in King Edward the Confessor's [reign] and in his lands are ancient demesne.

2. Franchises and Royalties. The profit of Aliens' lands. 2. Such as come by any attainder or escheat. 3. Outlawed persons in personal actions these the Sheriff may seize without an office, 21 H. 7, 7, and so of felons, fugitives, outlaws, wayved goods, etc. The Sheriff can seize of land by the King's writ or other lawful warrant from the King's courts not otherwise. Co. 8, 169.

The King shall have the property of such things as the owner is not known. *Quod non capit christus, capit fiscus*, as Tithes of ground within no parish (as in great forests, etc. 22 Ass. 11, 75, Br. prerog. 143, Estrays.

3 Whales and sturgeons, swans wild.

p. 456.

Where the lord of any liberty or manor, etc. hath by Charter and grant from the King or by proscription any of the franchises or profits of felons' goods, then the Sheriff nor his officers are not to seize them nor meddle with them.

3. Suits. Is either of suits done or to be done.

1. Suits are either real or Royal, due to the King's Courts *ratione del resiancie del person* and not for their land.

2. Suit service is due by reason of tenure of land.

Pur suit real le party qui fait defalt serra primus amercee et après serra distrayn pur amurciament.

Pur suit service le Vicont (ou Seignior) poit distrayn le tenant mais non amercera luy. Br. suit 2, 6, 16.

Si le terre charge une suit, veign in mains de diverse persons, chescun tenant serra charge del suit aplein. Terre chescun de eux fera en suit. Brook.

4. Rents. The Sheriff is bound not only to gather the common monies and profits due to the King, but also his rents. But now it belongeth to the King's receiver.

Estreats of the green wax, and such others, the sheriff is not chargeable at the first except the summons come to him out of the exchequer and then when he hath them, chargeable.

Si home tient del roy et son rent est arrere, le Roy (ou ses officers) poient distreyn en les autre terres cybien terres de autres come de luy mismo: et eadem lex pur son fee farm. Brook, prerog. 77, 44, E. 3.

5. Debts. By statute 9 H. 3, c. 8 the King nor his bailiff shall not seize any land or rent for any debt as long as the present chattels of the debtor do suffice to pay the debt: but now, 33 H. 8, c. 39, both land and heir are chargeable, plac. 440.

Any free man may feed his cattle impounded for the King's debt without disturbance without giving any thing for their feeding, 9 H. 3, de districtione scaccarii. Nor sold within 15 days.

p. 455.

The beasts that gain one's land, nor sheep, chargeable for the King's debt or any other, except beasts' damage pheasant ["faisant"] on the ground; the distresses reasonable, and valued by the estimation of neighbours and not strangers.

Sheriffs receive the King's debts and not acquit his debtors, punishable by treble damages. 42 E. 3.

11 H. 3. If the debtor can find sufficient surety until a day when he may purchase remedy 47* return of the writ, the distress shall be released in the mean [time], otherwise grievously punished. 28 E. 1, c. 12. 3 damages.

Clerk of the Exchequer that make process for a debt that is paid, shall loose his office, and be imprisoned until he agree with party. 1 R. 2, c. 5.

Debts paient estre due al roy in divers manners. Per atteynder, outlawry, forfeiture ou don ou pur judgment. Recognizance ou specialty.

The King's officers may distrain for issues in the Church or Sanctuary, if he can find no other. In the King's highway or common street. 52 H. 3, c. 15.

Note que tous obligations, recognizances et specialties faits al Roy serra del force de Statut staple.

Si dettor de Roy morust, le Roy serra primus pay son dett. 9 H. 3, c. 18. Br. prerog. 71.

6. Issues. The sheriff is accountable to the King for all manner of issues and profits of the County, as amercements, fines, forfeiture, for punishment, default of appearance.

[*In margin*: Amercements. Coke 7, 39.] Clerks of the warrants in the Common Pleas doth make cstreet of those amercements and deliver them to the Clerk of the Assize, and he unto the Coroners in every County to assain (1) to assess the amercements. Fitz 75 k, 76 a. Amercements of every officer of justice must be assessed by the Justices of the Court where the cause depends, and it is called royal amerce.

p. 454.

Fines. Are that which is assessed or set upon an offender in some Court of Record by the Court or Judge there and which the offender doth give for satisfaction of his offence or Contempt. Coke, 8, 38, 41.

Fine est tous faitz impose et assess par le Court; mauis amercia-ment que est appel en Latin miscracordia, est asses pur pays; et cest

* Sic in MS.

parol (afferer) est tant a dire come ponere in certitudinem, seu taxare seu assesser ou taxer, et sont derive de cet ancien French parol "Afferer" qui signify taxare.

Et est assavoir, que si un Jury ou un Leet taxe un amerciement ceo suffist sauns auter afferement; car le amerciement est le Act de Court, et le afferement del Jurie. Mes si le steward affere un amerciement sur presentment del jurie, ceo est void et ne lie. Coke 8, 40.

Offences fait hors del Court les Jurors del leet ont cenusars, et pur ceo power de presenter eux and impose amerciement; offences en court devant le steward ceo peut imposer fine.

Forfeitures.*

The MS. breaks off abruptly at the end of the part dealing with amerciements. From the word "Forfeitures" in the margin it seems probable that Townshend was going to continue his "Abstract" by dealing with forfeitures. If this was so he did not carry it out.

Townshend seems also to have intended to give an abstract of the duties of a Justice of the peace. But all he did of this was the following memorandum :—

p. 465.

My book of observations made this 29th day of May 1638 touching the office and passages of * in the place of * Justice of peace, etc.

There is no entry as to the state of the county during the Commonwealth.

On page 467 is the following memorandum as to each Hundred and the charge that each Hundred would bear :—

p. 467.

The Hundred of Oswaldslow pays for every tax one
3rd part throughout the Country.

Doddingtree pays an 8th part.

Blackenhurst pays a 12th part.

Pershire pays a 4th part.

Halfshire pays a 5th part and 2^s over in every pound.†

* Blank in MS.

† Copied by Nash. Introduction, p. lxiii. with variations.

On page 471 is given some general information as to the state of England :—

p. 471.

Mem.—In England there is

Shires	39
In Wales—Shires	13
Cities	25
Bishoprics	26
Knights' fees	60 (60215)
whereof the Clergy had	27 (27015)

Townshend gives a copy of the rules that were to be observed by the Chaplain or Minister of the common gaol :—

p. 473. Wigorn.

Articles to be observed of the Minister of the house of Correction and Gaol.

[*In another hand.*] 1. That he conform himself to the discipline and Ceremonies of the Church of England.

2. That every day he read Morning and Evening Prayer to the persons of the Gaol and House of Correction in the place appointed for that purpose.

3. That he bestow one hour every day in instructing the prisoners particularly one by one for their souls' good.

4. That he endeavour by all good means to bring them to discover other malefactors whether it be those that have been partakers with them in the same offence or have been guilty of some other, And upon their discovery that he forthwith acquaint some Justice of the peace of the County.

5. That every Friday after Morning Prayer he catechize them for half an hour in public in the same place.

6. That upon every Sabbath day he expound one of the lessons or Gospels or Epistles for the day applying them such instructions out of the same as he shall think fit for them.

7. That if any of the prisoners shall either refuse or neglect to be instructed or otherwise misbehave themselves towards him, that he acquaint the Gaoler or Master of the Correction therewith that so he may be punished for such offence according to the nature thereof.

8. That he be not absent from his charge above a fortnight at any one time nor in all above six weeks in the whole year and that he provide an honest, able and conformable man to supply his place during his absence.

These orders were assented unto and subscribed by George Drummond there elected by the Justices of the peace in this Easter Sessions 1634 to be minister for the time being to the prisoners in the Gaol and House of Correction.

In the presence of—	John Buck	} Hisce Articulis libenter subscribo
	Humph. Saloway	
		George Drummond.

Next comes a parody, a so-called petition to the House of Commons by the Oxonian Cavaliers :—*

p. 483.

The humble petition of the Oxonian Cavaliers to the holy Assembly of the house of Commons the great lovers of learning as followeth.

We the Oxonian Janissaries (Renegades to our gown) have transgressed your house's order in our duty and zeal to our King unluckily applying ourselves to the direction of sense, reason, and religion (as University brats and superstitious things) do therefore desire you would vote in us a forgetfulness of those principles of Allegiance which our Oaths and each faculty of sense, reason, and religion, and such trivial respects dictate unto us. Otherwise we shall be courageous in the Cavaliering mood (which is abominable in the eyes of your sanctified house) of loving, serving, and honouring our king. Further desiring that the intermission of our study be no hindrance to our progress in learning of which no doubt you are very careful, but that by the help of your omnipotent vote we proceed as able scholars as if we had been sedentary men in our Libraries all the time. And your petitioners do expiate this sin of loyalty do prostrate ourselves before you flat on our faces; divining our courses will shortly turn the world upside down and then we shall look up again. They hope these desires sufficiently unreasonable, to be acceptable with you, and for your great deliberation to undo the Commonwealth they wish you a just reward even a translation from Westminster to Bedlam.

* This appears to be in a different and later hand than any other part of the Diary.

On page 134 is an Election squib against Sir Ralph Clare and Samuel Sandys, the Members for the County elected for the Parliament of 1661 :—

p. 134.

May 1661. A libel made by some ranting Cavaliers against Sir Ralph Clare Knight of the Bath by some pretended admirers of Sir John Pakington and Samuel Sandys, Esq^{rs}, chosen Knights of the Shire: because none else stood. And supposed Sir Ralph would secretly be their competitor with Sir Henry Littleton, whereas they declined and so declared the same and stood only for Burgess of Bewdley in competition with Sir Henry Herbert. Copies dispersed to some friends.

What news? Is old Sir Ralph mad, will nothing do
 But Knight of the shire and Burgess of Bewdley too.
 Ring the Bells backward, Here's strange news to tell
 Two Knights, one Burgess in one man to dwell.
 If I mistake not it appears to me
 Like the Contents of a Welsh pedigree.
 Beside when ere the Honoured House doth sit
 They will admit no Monster into it.
 What Extasy is this that leads him on
 To vie with Sandys and Sir John Pakington.
 These high perched Heroes look with Eagle's eyes
 And mount a sublime pitch, whilst Butterflies
 Are Games for Children when dismissed from school.
 Never did Knight of the Bath so play the fool.
 Is it his age so stimulates to strife
 Or else bewiteht with father Adam's wife
 Or Baxters doctrine that Conundrums raise,—
 Within his noddle, or what is't betrays
p. 135. His feeble Knightship to be so Intent
 Upon Elections in this Parliament.
 Caudles and Cockbroth my sense speaks more fit
 For old Sir Ralph and Clarey then there to sit.
 Wind up the Bottom, what needs more be said
 Twas Harry Herbert killed the old knight dead.

There are a series of questions in Latin on the Royal Pre-

rogative, the Houses of Parliament and the liberties of the subject :—

p. 265.

Questiones metaphesicas necessaris discutiendo inter reverendos judices, servientes ad legem, et alios in lege doctos pro perpetua constitutione Regis prerogativa privilegiorum et potestatis parlamenti libertatis pacis et unitatis subditi, ex petitionibus declaratis et responsis inter regem et parliamentum et aliis scriptis collectæ.

1. An sit Regis prerogativa? Aff.
2. Quid sit Regis prerogativa?
3. An Rex quatenus Rex injuriam faciat subdito? Neg.
4. An Regia prerogativa sit superior parlamenti curiæ?
5. Quæ sint parlamenti privilegia?
6. An mera vota parlamenti novam efficient legem?
7. An sola vota parlamenti veterem anihilent legem?
8. An parliamentum in definitionibus possit errare?
9. An ordo vel ordinatio parlamenti mera et nuda sine Regis consensu et approbatione subditum obligat? Si vero, quam diu?
10. An liceat parlamento magnam Chartam cum assensu principis in aliqua parte dissolvere.
11. Si curia parlamenti facit ordinacionem affirmativum et Rex ei prohibet obedientiam, utrum subditus omnino obligatur, si vero quam diu?
12. An sedente curia parlamenti in comitiis Rex habet negativam vocem in actibus?
13. An ordinatio vel actus parlamenti sit superior vel equalis?

p. 266.

14. Quæ sint fundamentales leges regni?
15. An leges regni fundamentales sint indissolubiles?
16. An domino rege et parlamento dissentientibus subditus debet esse neuter?
17. An laici parlamentarii sint idonei et competentes judices de doctrinis fidei?
18. An sola domus communis solus (domo nobilium contradicente) alicui ordini obligat subditum.
19. An ordo domus communis solus (sine nobilium consensu) subditum obligat.
20. An parliamentum in casu suppositi periculi publici vel communis boni possit disponere proprias et peculiares villas, arces, bona et armamentaria Regis (rege contradicente).
21. Si controversia sit de salute reipublicæ inter regem et parliamentum, quis vel ubi sit proprius supremus et indifferens moderator et judex?

22. An regia autoritas sit separabilis a persona regis?

23. An sola verbalia regis mandata (lege non opponente) sint obedienda, parlamento contradicente, ut si subditus obedientiam abjurens juramentum fidelitatis dissolvit?

24. An aliquid membrum domus parlamenti actualiter proditor, et sine legis processu pro rege indicitur proditorem estimatur priviledgium parlamenti violacio in rege?

25. An Rex quatenus rex sit solus dux militiæ regni. Vide Parliamentum 18^o Jun. et 7^o E. 1, 2, E. 2. 3.

26. An rex quatenus rex sit aliqua pars essentialis parlamenti.

p. 267.

27. An rex vel parlamentum sint pro peccatis regni ad Deum responsabilis.

28. An liceat vulgo equitabilem fabricare constructionem de legibus et statutis regni?

Vide clausam 3 Remons., p. 11.

29. Quid sit publica fides parlamenti?

30. An publica fides parlamenti sit sufficiens pro creditores (Rege contradicenti) ad restitutionem?

31. An omnia parlamenti promissa (rege opponente) obligant subditum ad satisfactionem.

Vide proclamationem 18^o Jun. 18^o Caroli.

32. An commissiones pro Array sint contra legem libertates et proprietatem subditis June 20^o in parlamento voted negative, 20^o Jun. apud York affirmative et July 4^o.

33. An pro tenura terrarum subditus in servicio obligatur contra Regis inimicos in et extra regnum?

34. An si aliqua pars vel clausura in commissionibus de Array sit illegatis, sequitur quod tota commissio sit vacua in lege.

35. An sit contra libertatem et proprietatem subditi ut quilibet juxta statum et facultates suas debet esse apporcionare secundum discretionem certorum [*in margin*: vide Reg. Dre. 8] assessorum (sine regis assensu) per solam ordinem parlamenti?

36. An particulares ordines selectorum delegatum Domus Communis obligant subditum sine ulteriore confirmatione Domus?

37. An sit violacio privilegii parlamenti tales nominare delegatos selectos et privates ad exercendum potestatem ad examinacionem hominum status.

38. An soli selecti delegati Domus communis sint judices competentes ad imprisonandum delinquentes extra Domus Communis ampliore assensu?

39. An Domus Communis sola habet potestatem judicativam ?
40. An Domus Communis possit administrare juramentum ?
- p. 268. Vide librum "The Complaints of London, Westminster," etc.
41. An solus ordo Domus Communis impediatur progressum Curiarum justitiarum ?
42. An solus ordo Domus Communis felones deliberet sine iudicamento.
43. An Domus parliamenti possint assumere de jure dominare Theologos pro Synoda ?
44. An rex vel populus habet potestatem eligendi vicecomites annuatim ab antiquo ?
45. An Rex prerogativa sua, possit reum a poena remittere in parlamento proscriptum.
46. An ordinacia parliamenti sit res antiqua vel nova ?
47. An status et hereditamenta subditi ante inditamentum et convictionem per legem sequestrari possint per solam parliamenti ordinatiam ?
48. An casu talis suppositi necessitatis publici, quando rex totis viribus suis religionem, leges, et libertatem subditi pœnitens destruerent, reassumere possit vulgus potestatem et auctoritatem regi in constitutione regni donatam ?
49. An in tali supposito quod Rex tam nefariam fidem et sacramentum violabit, et religionem, leges, et libertatem subditi subvertere seductus est, subditi ad arma occurrant, resistant, et in regis persona oppugnet ? et an in instanti sit talis casus ?
50. An parliamentariis fidem violantibus, reassumat vulgus potestatem ?
51. An Rex tenet corona sub foris factura populo si sit religionis et legum prevaricator ?

This concludes the regular entries in the Diary. There are, however, some others which should be mentioned, for although practically duplicates or copies of most have been already given, yet it is considered well to print them here.

The first relates to the Forced service by the soldiers in May 1640 at the time of the war with Scotland. It is in substance the same as what appears in Vol. I., p. 1 :—

p. 469.

April 22nd 1640. There was a press for supply of the trained band which should go for his Majesty's service to suppress the rebellious

Scots out of this County of Worcester. 600 men of foot and they are to be exercised with the trained men's arms twice a week until the 20th of May and then they are to go to Newcastle to the Rendezvous.

Persons pressed for Elmley Lovet. * 3.

Henry Powell, mason; Rowland Edwards, tailor; Christopher Stutty, he was changed.

The parliament began 13th of April.

Sir [Henry] Littleton }
Sir John Pakington } Baronets, knights of the Shire.

The Ship money for this year 1640, John Winford, Esq^r, high Sheriff, is £3500, whereof Elmley Lovet is taxed at £xix 3^s 4^d.

I am to pay £4 thereof.

(2) When Waller took Hereford in 1643 he made all the people who were promised protection for life and goods do service. Townshend gives the following as the form of oath Waller required to be taken :—

p. 482.

The form of the oath which Sir W. Waller commands to be taken in Herefordshire after his taking of Hereford city by surrender

Copied out May 7th, 1643.

I, A. B. do swear in the presence of Almighty God that I will defend with my life and estate the King's Majesty's person, and both Houses of Parliament now sitting at Westminster, and to the utmost of my power maintain and assist the Army raised by the authority of both houses under the command of the Earl of Essex, and will to the hazard of my life and fortunes oppose all forces raised or to be raised without the consent of both houses of Parliament.

So help me God.

Another form of the oath will be found in Vol. II., p. 120.

(3) Worcester was by custom liable to provide the dishes for Prince Maurice's daily meals. The following was the daily supply. The city admitted they were bound to see that the food was rightly assigned to different persons, and at last they agreed to meet Maurice's requirements :—

p. 482.

The City of Worcester to provide Prince Maurice his diet for his table as followeth daily—

	£	s.	d.
1 fat mutton	0	12	
1 lamb	0	06	

1 veal	0	10
30 pound of beef	0	05
3 couple of pullets or capons	0	06
6 couple of pigeons	0	02
6 couple of chickens	0	04
8 doz. of white and brown bread		08
6 pound of candles	0	02 6
2 Hogsheads of strong and small beer	1	0 0
	<hr/>	
	3	15 6

(4) In 1644 there was a large meeting of the nobility, grand jurors, gentry and others of the county remonstrating as to the injuries the men in the county were subjected to by the Crown tenants, and praying this might be suppressed. It was resolved that the Clergy should, although only four were present, separately petition the King. The Address was printed and circulated.

p. 769.

Mem.—That the Clergy elected Dr Thomas Warmestry and Mr Panting, Rector of Holt, as their clerks to assign the petition.

And it was commanded to Sir Jo. Pakington and Col. Sam. Sandys to present it to his Majesty at Oxford. Which was so performed and his Majesty was pleased to make this answer underwritten as followeth.

The petition will be found stated fully at page 184, as also the King's answer.

(5) Townshend had a son also Henry who, as has been stated, was Sheriff in 1716. Townshend married as his second wife Dorothy Dobbins, the widow of an old Roundhead against whom Townshend had a grievance.* This seems to have been aggravated. From an entry which is written on a leaf of the MS. inserted between the form of the Pass given to the gentlemen who were in Worcester at its surrender and the entry of the force Rainsborough sent in to take possession of the City is the

* See *Ante*, pp. 167 and 257.

following document. Its only importance is that it gives some genealogical evidence as to the family :—

p. 623.

The case of Henry Townshend, Esq^r, concerning his land in the County of Hereford whereof he is seised in right of Dorothy his wife.

The said Henry Townshend and Dorothy his wife in pursuance of an agreement had between the said Henry and Dorothy his wife before their intermarriage, and in consideration of a marriage to be had and solemnized between Henry Townshend his son and Ann the daughter of the said Dorothy by Jo Dobbins, gent., her former husband, did by their deed bearing date the 13th of May in the 15th year of His Majesty's reign that now is, convey all the said lands in Evesbatch and Bishops Froome and all other the lands of them the said Henry Townshend and Dorothy his wife in the County of Hereford, with some other lands in the County of Worcester, unto Henry Townshend the younger for the term of one and twenty years for and towards the maintenance of him the said Henry and Anne his wife and for the raising of portions for the younger children of the said Henry Townshend the elder and paying of debts.

That by that deed certain lands and tenements in Elmley which were lately the lands of Sir Thomas Thornborough and Dame Ellen his wife unto the value of £1299 were assessed unto the said Henry the younger and Anne his wife as part of her jointure and to the heirs male of the said Henry upon the body of the said Anne to be begotten with divers other remainders and provisoes for younger children as by the said deed may appear.

That since the sealing of the said deed the said Henry Townshend the younger and the said Anne did intermarry and the said Henry the younger, by virtue of the said conveyance, is possessed of the said lands subject for raising of portions for his younger brothers and sisters and paying of debts.

The entry ends abruptly without stating what was the point that had arisen.

It is believed that this completes the whole of the volume that contains the Diary, but as the entries in it are arranged entirely without order it is difficult to say if each is put into the right place. An attempt has, however, been made to do this so as to shew as nearly as possible the state of the county during the Civil War period.

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